

EXHIBIT 4

LANIER JEFFREY - VOLUME I

<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHERN DISTRICT OF ALABAMA</p> <p>3 EASTERN DIVISION</p> <p>4</p> <p>5 CASE NUMBER: 1:12-CV-01745-VEH</p> <p>6 APRIL K. BARNETT,</p> <p>7 Plaintiff,</p> <p>8 vs.</p> <p>9 JP MORGAN CHASE BANK,</p> <p>10 NATIONAL ASSOCIATION, formerly</p> <p>11 CHASE HOME LOAN SERVICING,</p> <p>12 LLC,</p> <p>13 Defendant.</p> <p>14</p> <p>15 DEPOSITION</p> <p>16 OF</p> <p>17 LANIER JEFFREY</p> <p>18 DECEMBER 11, 2012</p> <p>19 VOLUME 1 (1-276)</p> <p>20</p> <p>21 REPORTED BY:</p> <p>22 Kimberly B. Dowdy, CSR, RPR</p> <p>23 Henderson & Associates Court Reporters</p> <p>24 2101 Magnolia Avenue - Suite 400</p> <p>25 Birmingham, Alabama 35205</p> <p>1</p>	<p>1 STIPULATIONS</p> <p>2 (Continued)</p> <p>3</p> <p>4 IT IS FURTHER STIPULATED AND AGREED</p> <p>5 that it shall not be necessary for any</p> <p>6 objections except as to form or leading</p> <p>7 questions, and that counsel for the parties</p> <p>8 may make objections and assign grounds at the</p> <p>9 time of the trial, or at the time said</p> <p>10 deposition is offered in evidence or prior</p> <p>11 thereto.</p> <p>12</p> <p>13 IT IS FURTHER STIPULATED AND AGREED</p> <p>14 that the notice of filing of the deposition by</p> <p>15 the Commissioner is waived.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>3</p>
<p>1 STIPULATIONS</p> <p>2</p> <p>3 IT IS STIPULATED AND AGREED by and</p> <p>4 between the parties through their respective</p> <p>5 counsel, that the deposition of MS. LANIER</p> <p>6 JEFFREY may be taken before Kimberly B. Dowdy,</p> <p>7 Commissioner, at the offices of Bricker &</p> <p>8 Eckler, LLP, 100 South Third Street, Columbus,</p> <p>9 Ohio, on the 11th day of December, 2012.</p> <p>10</p> <p>11 IT IS FURTHER STIPULATED AND AGREED</p> <p>12 that the signature to and the reading of the</p> <p>13 deposition by the witness is NOT waived, the</p> <p>14 deposition to have the same force and effect</p> <p>15 as if full compliance had been had with all</p> <p>16 laws and rules of Court relating to the taking</p> <p>17 of depositions.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>2</p>	<p>1 APPEARANCES</p> <p>2</p> <p>3 APPEARING ON BEHALF OF THE PLAINTIFF:</p> <p>4 KILBORN, ROEBUCK & MCDONALD</p> <p>5 BY: Mr. David A. McDonald</p> <p>6 913 Government Street</p> <p>7 Mobile, Alabama 36604</p> <p>8</p> <p>9 KILBORN, ROEBUCK & MCDONALD</p> <p>10 BY: Mr. Vincent F. Kilborn, III</p> <p>11 1810 Old Government Street</p> <p>12 Mobile, Alabama 36660</p> <p>13</p> <p>14 Mr. Darrell (Bubba) W. Grimsley, Jr.</p> <p>15 ATTORNEY AT LAW</p> <p>16 21 South Section Street</p> <p>17 Fairhope, Alabama 36532</p> <p>18</p> <p>19 APPEARING ON BEHALF OF THE DEFENDANT:</p> <p>20 CABANISS, JOHNSTON, GARDNER, DUMAS & O'NEAL,</p> <p>21 LLP</p> <p>22 BY: Ms. Sandy G. Robinson</p> <p>23 Riverview Plaza</p> <p>24 63 South Royal Street, Suite 700</p> <p>25 Mobile, Alabama 36602</p> <p>4</p>

LANIER JEFFREY - VOLUME I

<p>1 INDEX</p> <p>2</p> <p>3 EXAMINATION PAGE:</p> <p>4 By Mr. McDonald 6</p> <p>5 INDEX OF EXHIBITS</p> <p>6</p> <p>7 Plaintiff's Exhibit No. 1.....99</p> <p>8 (E-mail Bates Chase 2452)</p> <p>9 Plaintiff's Exhibit No. 2.....124</p> <p>10 (Payoff quote Bates Chase 2453)</p> <p>11 Plaintiff's Exhibit No. 3.....130</p> <p>12 (E-mail Bates Chase 2457-2459)</p> <p>13 Plaintiff's Exhibit No. 4.....178</p> <p>14 (Bates Chase 00768)</p> <p>15 Plaintiff's Exhibit No. 5.....178</p> <p>16 (E-mails Bates Chase 00402-00415)</p> <p>17 Plaintiff's Exhibit No. 6.....209</p> <p>18 (E-mails Bates Chase 2454-2456)</p> <p>19 Plaintiff's Exhibit No. 7.....252</p> <p>20 (January 28, 2011 Bates Chase 00393)</p> <p>21 ERRATA SHEET 274</p> <p>22 DEPONENT'S CERTIFICATE 275</p> <p>23 CERTIFICATE OF REPORTER 276</p> <p>24 (COUNSEL NOTE: Counsel instructed court</p> <p>25 reporter to mark confidential all pages in</p> <p>which Chase or Assurant employee names were</p> <p>referenced, which are the following pages:</p> <p>10, 36, 42, 97, 101, 132-136, 139-141, 144,</p> <p>156, 181, 186, 189, 206, 209, 252, 273)</p> <p>5</p>	<p>1 A. Columbus, Ohio.</p> <p>2 Q. Have you lived here all your life?</p> <p>3 A. No.</p> <p>4 Q. Just give us a history of where</p> <p>5 you've lived.</p> <p>6 A. Boston, Massachusetts and</p> <p>7 Springfield, Ohio --</p> <p>8 Q. Boston, Massachusetts is my</p> <p>9 favorite city in the whole United States.</p> <p>10 A. Really?</p> <p>11 Q. Did you go to school in Boston?</p> <p>12 A. No. I lived there in my</p> <p>13 childhood.</p> <p>14 Q. Where did you go to just high</p> <p>15 school?</p> <p>16 A. Springfield, Ohio.</p> <p>17 Q. Any other post high school --</p> <p>18 A. Columbus. I went to Ohio State.</p> <p>19 MS. ROBINSON: Let him finish his</p> <p>20 question because y'all are -- he pauses. He's</p> <p>21 kind of a slow southern talker, so make sure</p> <p>22 he finishes his question before you answer.</p> <p>23 Q. That's just because of the court</p> <p>24 reporter and it's totally my fault. I will</p> <p>25 speed up, but I'm a little groggy this</p> <p>7</p>
<p>1 I, Kimberly B. Dowdy, CSR, RPR, a</p> <p>2 Court Reporter and Notary Public of the State</p> <p>3 of Alabama, acting as Commissioner, do certify</p> <p>4 that on this date, as provided by the Alabama</p> <p>5 Rules of Civil Procedure and the foregoing</p> <p>6 stipulation of counsel, there came before me</p> <p>7 at 100 South Third Street, Columbus, Ohio, on</p> <p>8 December 11, 2012, beginning at 10:00 a.m.,</p> <p>9 EST, MS. LANIER JEFFREY, witness in the above</p> <p>10 cause for oral examination, whereupon the</p> <p>11 following proceedings were had:</p> <p>12 LANIER JEFFREY,</p> <p>13 being first duly sworn, was examined and</p> <p>14 testified as follows:</p> <p>15 COURT REPORTER: Would you like</p> <p>16 the usual --</p> <p>17 MS. ROBINSON: Read and sign.</p> <p>18 COURT REPORTER: Okay. Send it to</p> <p>19 you?</p> <p>20 MS. ROBINSON: Uh-huh (in the</p> <p>21 affirmative).</p> <p>22 EXAMINATION BY MR. McDONALD:</p> <p>23 Q. Tell us your name, please.</p> <p>24 A. Lanier Jeffrey.</p> <p>25 Q. Where do you live, Ms. Jeffrey?</p> <p>6</p>	<p>1 morning.</p> <p>2 Who are you employed by?</p> <p>3 A. JP Morgan Chase.</p> <p>4 Q. And don't tell me your salary, but</p> <p>5 how are you paid? Are you paid by check? Are</p> <p>6 you paid by direct deposit?</p> <p>7 A. Direct deposit.</p> <p>8 Q. Direct deposit. And your</p> <p>9 understanding is that came -- that comes from</p> <p>10 JP Morgan Chase?</p> <p>11 A. Yes.</p> <p>12 Q. How long have you been employed by</p> <p>13 JP Morgan Chase?</p> <p>14 A. Six years.</p> <p>15 Q. And tell me what your job titles</p> <p>16 have been since the beginning; take me in</p> <p>17 chronological order.</p> <p>18 A. Senior operations specialist.</p> <p>19 Q. Is that what you are now?</p> <p>20 A. No.</p> <p>21 Q. That's what you started out?</p> <p>22 A. Started.</p> <p>23 Q. Okay. Go ahead.</p> <p>24 A. Senior lead specialist.</p> <p>25 MR. KILBORN: I'm going to have to</p> <p>8</p>

LANIER JEFFREY - VOLUME I

<p>1 move over there. I can't hear.</p> <p>2 MS. ROBINSON: Speak up just a</p> <p>3 little bit, Lanier.</p> <p>4 A. Operations analyst. That's it.</p> <p>5 Q. That's it?</p> <p>6 A. Yes.</p> <p>7 Q. So today you are an operations</p> <p>8 analyst?</p> <p>9 A. Yes.</p> <p>10 Q. What was the period of time when</p> <p>11 you were senior operations specialist?</p> <p>12 A. From May of 2006 until 2008. I</p> <p>13 can't remember the exact month.</p> <p>14 Approximately two years.</p> <p>15 Q. And then you became senior lead</p> <p>16 specialist. What was that time frame?</p> <p>17 A. From 2008 until March 2011.</p> <p>18 Q. And then since March of '11 to the</p> <p>19 present you've been an operations analyst?</p> <p>20 A. Yes.</p> <p>21 Q. Tell me what a senior operations</p> <p>22 specialist is.</p> <p>23 A. It is a specialized processor.</p> <p>24 Q. Assume I know absolutely nothing</p> <p>25 about the inner workings of Chase -- JP Morgan</p> <p style="text-align: right;">9</p>	<p>1 Vanderwater.</p> <p>2 Q. Did you have to take classes to</p> <p>3 become a senior operations specialist?</p> <p>4 A. No.</p> <p>5 Q. So where did you come from before</p> <p>6 you were hired by JP Morgan Chase?</p> <p>7 A. Assurant Solutions.</p> <p>8 Q. What were your responsibilities at</p> <p>9 Assurant Solutions?</p> <p>10 MR. KILBORN: Can you ask her to</p> <p>11 speak up?</p> <p>12 MS. ROBINSON: Speak up just a</p> <p>13 bit, Lanier, because everybody is trying to</p> <p>14 hear you.</p> <p>15 MR. KILBORN: You've got a very</p> <p>16 soft voice.</p> <p>17 A. Quality analyst and a loss</p> <p>18 drafts processor.</p> <p>19 Q. How long did you work at Assurant</p> <p>20 Solutions?</p> <p>21 A. Two years.</p> <p>22 Q. And would this have been 2004 to</p> <p>23 2006?</p> <p>24 A. 2003 to 2005.</p> <p>25 Q. Where did you work between 2005</p> <p style="text-align: right;">11</p>
<p>1 Chase. What would your day-to-day duties have</p> <p>2 been?</p> <p>3 A. At that time they were</p> <p>4 processing payoff files, release of</p> <p>5 disbursements of claim funds.</p> <p>6 Q. Anything else?</p> <p>7 A. That's about it.</p> <p>8 Q. And was there a particular</p> <p>9 department within Chase that you were working</p> <p>10 in as a senior operations specialist?</p> <p>11 A. Yes.</p> <p>12 Q. What was it?</p> <p>13 A. Loss drafts.</p> <p>14 Q. Has your entire career at JP</p> <p>15 Morgan Chase been working within the Loss</p> <p>16 Draft Department?</p> <p>17 A. Yes.</p> <p>18 Q. Who trained you to be a senior</p> <p>19 operations specialist?</p> <p>20 A. All of the names of everyone?</p> <p>21 Q. Sure. Anyone that you can</p> <p>22 remember.</p> <p>23 A. [REDACTED]</p> <p>24 Q. [REDACTED] --</p> <p>25 A. [REDACTED] And [REDACTED]</p> <p style="text-align: right;">10</p>	<p>1 and May of 2006?</p> <p>2 A. I did not work.</p> <p>3 Q. Why did you leave Assurant?</p> <p>4 A. I had a child.</p> <p>5 Q. So you were -- you had the most</p> <p>6 important job between 2005 and May of 2006?</p> <p>7 A. Yes.</p> <p>8 Q. Where did you work before Assurant</p> <p>9 Solutions?</p> <p>10 A. Ohio State University.</p> <p>11 Q. So you graduated and went straight</p> <p>12 to Assurant?</p> <p>13 A. I didn't graduate, but I was</p> <p>14 attending, yes.</p> <p>15 Q. And what does a quality analyst at</p> <p>16 Assurant Solutions do?</p> <p>17 A. Audit files.</p> <p>18 Q. Tell me what -- just generally,</p> <p>19 Ms. Jeffrey, walk me through what your</p> <p>20 responsibility would have been in auditing a</p> <p>21 file while you worked for Assurant.</p> <p>22 A. Call monitoring to ensure</p> <p>23 policies were followed and file audits to</p> <p>24 ensure that policies were followed with the</p> <p>25 handling of the files.</p> <p style="text-align: right;">12</p>

3 (Pages 9 to 12)

LANIER JEFFREY - VOLUME I

<p>1 Q. So you would actually monitor 2 telephone conversations between another 3 Assurant employee and a customer? 4 A. Correct. 5 Q. And whose customers were Assurant 6 talking to? 7 A. Various mortgage companies. 8 Q. Describe for me what Assurant as a 9 company does. 10 A. They are a third-party 11 processing center for mortgage companies. 12 Q. And what mortgage companies was 13 Assurant acting as a third-party processor 14 during the time you worked for them? 15 A. I can't remember all of them. 16 First Horizon, Wells Fargo, Auquin Mortgage. 17 Q. What about JP Morgan Chase? 18 A. Not that I'm aware of. 19 Q. Assurant while you worked for 20 them, you didn't do any services for JP Morgan 21 Chase while you were an Assurant employee? 22 A. I did not. 23 Q. Where was Assurant's offices that 24 you would go to? 25 A. Springfield, Ohio.</p>	<p>1 A. No. At that time I was in 2 quality assurance. 3 Q. Tell us a little bit about what 4 hazard claims entailed when you worked for 5 Assurant. 6 A. Hazard claims -- regarding 7 quality assurance? 8 Q. First of all, tell us what hazard 9 claims are. 10 A. Hazard claims are any -- any 11 time that you have damage done to your home 12 due to a natural disaster, flood, mold, et 13 cetera, that's a hazard claim. 14 Q. Is it natural disaster -- would a 15 fire to a house, a single fire, constitute a 16 natural disaster under Assurant's definitions? 17 A. I'm not sure. 18 Q. You said flood or mold. Tell me 19 how a mold damage to a house, for example, 20 becomes a natural disaster in Assurant's 21 definition. 22 A. I wasn't saying that everything 23 has to be a natural disaster, but these are 24 examples of what a hazard claim is, mold. 25 Q. Would a hazard claim while you</p>
13	15
<p>1 Q. And pardon my geographical 2 ignorance. We are in Columbus, Ohio now? 3 A. Yes. 4 Q. How far from this office building 5 is Springfield? 6 A. Forty-five minutes west. 7 Q. Tell me a little bit what you 8 would do in your performance as an auditor 9 while you were monitoring telephone calls. 10 A. I would go through the scorecard 11 and answer the applicable questions about the 12 call. 13 Q. Would you do that realtime? 14 A. No. These were recorded calls. 15 Q. So Assurant employees -- were 16 these calls that the Assurant employees were 17 initiating? 18 A. Receiving outgoing/incoming -- 19 and incoming. 20 Q. What were the calls about? 21 A. Hazard claim payments. 22 Q. Solely hazard claim payments? 23 A. That I audited, yes. 24 Q. Is that because you were in the 25 Loss Draft Department of Assurant?</p>	<p>1 worked at Assurant constitute anything that 2 was substantial damage to a home? 3 A. Correct. 4 Q. What was your hesitation about a 5 fire constituting a hazard claim? Was it just 6 the bad question I asked? 7 A. It was just a bad question you 8 asked. 9 Q. So a fire to a home would fall 10 within the category of a hazard claim? 11 A. Yes. It's just not a natural 12 disaster is what I was saying. 13 Q. I got you. I got you. 14 And in your monitoring, so some 15 Assurant employee would either get -- receive 16 a call from a borrower or would make a call, 17 correct? 18 A. These were more with the 19 insurance companies for payments, receiving 20 payments, coordinating of payments on behalf 21 of the borrowers. Our customer at that time 22 was the insurance company, State Farm, 23 Allstate, et cetera. You were basically 24 making sure the payments were made on behalf 25 of the borrowers for their hazard claim</p>
14	16

LANIER JEFFREY - VOLUME I

<p>1 insurance.</p> <p>2 Q. Assurant was working for State</p> <p>3 Farm?</p> <p>4 A. We are the interim between the</p> <p>5 borrower and the insurance company, or they</p> <p>6 were.</p> <p>7 Q. And your offices were independent</p> <p>8 of any insurance company?</p> <p>9 A. Correct.</p> <p>10 Q. Your offices were independent of</p> <p>11 any mortgage company?</p> <p>12 A. Correct.</p> <p>13 Q. You completely stand alone?</p> <p>14 A. Correct.</p> <p>15 Q. Do you know how Assurant was</p> <p>16 compensated for its services when you were</p> <p>17 working for them?</p> <p>18 A. I do not.</p> <p>19 Q. But you received a check and your</p> <p>20 check was from Assurant?</p> <p>21 A. Correct.</p> <p>22 Q. When you would monitor these</p> <p>23 telephone calls you said that you had some</p> <p>24 sort of a sheet that you would fill out. What</p> <p>25 is the name of that sheet?</p> <p style="text-align: right;">17</p>	<p>1 She said she was talking to the insurance</p> <p>2 companies.</p> <p>3 Q. And it was only the communications</p> <p>4 between the insurance company and the Assurant</p> <p>5 employee that you were monitoring?</p> <p>6 A. Correct.</p> <p>7 Q. And what type of issues were being</p> <p>8 addressed during these telephone calls?</p> <p>9 A. Payment amounts received, due</p> <p>10 dates, policy limits, deductibles.</p> <p>11 Q. So hypothetically somebody's house</p> <p>12 catches fire and they've got insurance, and</p> <p>13 the insurance company -- what's a big</p> <p>14 insurance company?</p> <p>15 A. State Farm.</p> <p>16 Q. So State Farm calls Assurant, and</p> <p>17 does Assurant give State Farm, for example,</p> <p>18 what is the payoff amount?</p> <p>19 A. No. That department was</p> <p>20 strictly the payments to ensure that they</p> <p>21 have coverage on the home.</p> <p>22 Q. So what type of information would</p> <p>23 the insurance company need from Assurant?</p> <p>24 A. If the payment was sent, how</p> <p>25 much was sent, where it was sent.</p> <p style="text-align: right;">19</p>
<p>1 A. I don't remember.</p> <p>2 Q. Do you remember how many pages</p> <p>3 long it was?</p> <p>4 A. It was actually web-based, so it</p> <p>5 wasn't actual -- it was a scorecard but it</p> <p>6 wasn't a piece of paper per se. It was audit</p> <p>7 form.</p> <p>8 Q. So just walk me through what you</p> <p>9 would do. You would listen to a tape</p> <p>10 recording of the telephone call?</p> <p>11 A. Yes.</p> <p>12 Q. And you would grade the Assurant</p> <p>13 employee based on what criteria?</p> <p>14 A. Whatever the question was on the</p> <p>15 form. I don't recall what the questions are</p> <p>16 as of today.</p> <p>17 Q. I understand you may not recall</p> <p>18 the, you know, exact question or whatever, but</p> <p>19 generally what was your responsibility to be</p> <p>20 monitoring the Assurant employees for?</p> <p>21 A. To ensure that they applied the</p> <p>22 policies in place for call handling.</p> <p>23 Q. Such as answering the borrowers'</p> <p>24 questions?</p> <p>25 MS. ROBINSON: I object to form.</p> <p style="text-align: right;">18</p>	<p>1 Q. And would Assurant be the one that</p> <p>2 processes the money or are you directing it to</p> <p>3 the mortgage company?</p> <p>4 A. I don't recall.</p> <p>5 Q. And tell me what your duties as a</p> <p>6 loss draft processor while you worked for</p> <p>7 Assurant entailed?</p> <p>8 A. The handling and processing of</p> <p>9 hazard claims on behalf of the mortgage</p> <p>10 companies.</p> <p>11 Q. So when you were there you</p> <p>12 processed the claims?</p> <p>13 A. Correct.</p> <p>14 Q. The money would come to your</p> <p>15 department?</p> <p>16 A. The money was received in a</p> <p>17 different area and it was already deposited</p> <p>18 in an account.</p> <p>19 Q. But the money would come to</p> <p>20 Assurant?</p> <p>21 A. Yes.</p> <p>22 Q. Just a different department than</p> <p>23 you?</p> <p>24 A. Correct.</p> <p>25 Q. You would make sure that the</p> <p style="text-align: right;">20</p>

LANIER JEFFREY - VOLUME I

<p>1 claims were processed properly?</p> <p>2 A. Correct.</p> <p>3 Q. And what did that -- what were</p> <p>4 some of the issues that you were having to</p> <p>5 address to make sure that the claim was</p> <p>6 processed properly?</p> <p>7 A. Disbursement of the funds,</p> <p>8 verifying completion of the repairs, payment</p> <p>9 to the contractors.</p> <p>10 Q. So you would deal many times in</p> <p>11 instances where there wasn't a total loss?</p> <p>12 A. Correct.</p> <p>13 Q. So you were making sure that the</p> <p>14 funds that are coming in from the insurance</p> <p>15 company are being used to rebuild the house,</p> <p>16 for example --</p> <p>17 A. Yes.</p> <p>18 Q. -- as opposed to being used to buy</p> <p>19 BMW motorcycles or something else?</p> <p>20 A. Yes.</p> <p>21 Q. How would you do that?</p> <p>22 A. Through property inspections.</p> <p>23 Q. And who would do the property</p> <p>24 inspections?</p> <p>25 A. I don't recall the name of the</p> <p style="text-align: right;">21</p>	<p>1 Q. But you were the responsible party</p> <p>2 for authorizing specific amounts to be</p> <p>3 disbursed by Assurant?</p> <p>4 A. Correct.</p> <p>5 Q. And you would review, for example,</p> <p>6 some type of document verifying that work had</p> <p>7 been performed?</p> <p>8 A. Correct.</p> <p>9 Q. And what would you require as far</p> <p>10 as information on that? Would you require an</p> <p>11 affidavit? Would you require an affidavit</p> <p>12 from the contractor or would you require</p> <p>13 certification from the folks that you sent out</p> <p>14 to do the inspection, both, what?</p> <p>15 A. It varies. Each mortgage</p> <p>16 company has different specifications so it</p> <p>17 depends on what company you're working for.</p> <p>18 Q. How would you know which mortgage</p> <p>19 company specifications to apply in a</p> <p>20 particular incident?</p> <p>21 A. Well, whatever mortgage company</p> <p>22 you're assigned to you have their manual, so</p> <p>23 you know their requirements.</p> <p>24 Q. At any given time when you were</p> <p>25 operating as a loss draft processor for</p> <p style="text-align: right;">23</p>
<p>1 company. There was an actual inspection</p> <p>2 company that would go out and do the</p> <p>3 inspections on our behalf and submit the</p> <p>4 results to us.</p> <p>5 Q. Who would make the decision to</p> <p>6 send the inspection company out? You as a</p> <p>7 loss draft processor?</p> <p>8 A. The borrowers would call and</p> <p>9 initiate the contact and advise when they're</p> <p>10 ready for a certain inspection, and then we</p> <p>11 would then place the order and ask the</p> <p>12 inspectors to go out and make the inspection.</p> <p>13 Q. So in my continuing morphing</p> <p>14 hypothetical, someone has a fire to their</p> <p>15 house; it's not a total loss; they're going to</p> <p>16 rebuild, okay? So you're on it. That's your</p> <p>17 job as Assurant to make sure that the money is</p> <p>18 handled properly, right?</p> <p>19 A. Correct.</p> <p>20 Q. The money would be in a different</p> <p>21 department with Assurant so you never handled</p> <p>22 the deposit of the money or the funding of the</p> <p>23 money, correct?</p> <p>24 A. We did not touch the physical</p> <p>25 checks, correct.</p> <p style="text-align: right;">22</p>	<p>1 Assurant, was it important that you be</p> <p>2 knowledgeable about the different requirements</p> <p>3 of the different mortgage companies that you</p> <p>4 were dealing with?</p> <p>5 A. Yes.</p> <p>6 Q. So do you remember how many</p> <p>7 different mortgage companies that you were</p> <p>8 dealing with at that time?</p> <p>9 A. I do not.</p> <p>10 Q. But you had to have in front of</p> <p>11 you either a hard form manual like this binder</p> <p>12 that's sitting in front of me or some computer</p> <p>13 screen that would tell you what the mortgage</p> <p>14 company's requirements were for that</p> <p>15 particular event?</p> <p>16 A. Yes.</p> <p>17 Q. Which was it or was it both?</p> <p>18 A. I don't recall.</p> <p>19 Q. It's not uncommon for different</p> <p>20 mortgage companies to have different reporting</p> <p>21 requirements, processing requirements, and you</p> <p>22 had to be familiar with them?</p> <p>23 A. Yes.</p> <p>24 Q. How did you get familiar with</p> <p>25 that?</p> <p style="text-align: right;">24</p>

LANIER JEFFREY - VOLUME I

<p>1 A. Training.</p> <p>2 Q. Would you go to seminars?</p> <p>3 A. There is a training class when</p> <p>4 you first begin the position as well as side-</p> <p>5 by-side training within the department.</p> <p>6 Q. So when you first went into --</p> <p>7 let's -- into the loss draft as a loss draft</p> <p>8 processor, how much training did you get at</p> <p>9 Assurant?</p> <p>10 A. I don't remember.</p> <p>11 Q. Did you go off somewhere to, you</p> <p>12 know, like a boot camp?</p> <p>13 A. There's a training class but I</p> <p>14 don't remember how long it was.</p> <p>15 Q. You don't remember if it was three</p> <p>16 weeks or three hours?</p> <p>17 A. I don't.</p> <p>18 Q. And you don't know whether it was</p> <p>19 inside your office or at some place in</p> <p>20 Tennessee or --</p> <p>21 A. It was in the building.</p> <p>22 Q. All right.</p> <p>23 MS. ROBINSON: Let him finish his</p> <p>24 question, Lanier, because a lot of times he's</p> <p>25 kind of stopping to think what he's saying.</p> <p style="text-align: right;">25</p>	<p>1 assurance. When you were doing that job was</p> <p>2 someone monitoring you as you were monitoring</p> <p>3 the other folks?</p> <p>4 A. Yes.</p> <p>5 Q. How was that done?</p> <p>6 A. There was an external quality</p> <p>7 department that would audit our audits.</p> <p>8 Q. When you say external, were they</p> <p>9 an Assurant department or an independent</p> <p>10 company independent of Assurant?</p> <p>11 A. Assurant department.</p> <p>12 Q. What was that department called?</p> <p>13 A. I don't remember.</p> <p>14 Q. Starting with your duties as a</p> <p>15 quality analyst at Assurant, were you in a</p> <p>16 particular room, wing, floor, or what of</p> <p>17 Assurant?</p> <p>18 A. It was a wing.</p> <p>19 Q. How many people roughly were part</p> <p>20 of the quality analyst department or wing?</p> <p>21 A. Roughly a hundred.</p> <p>22 Q. And that's a hundred people like</p> <p>23 you that are -- that are listening to tape</p> <p>24 recordings of Assurant employees having</p> <p>25 conversations with the insurance company?</p> <p style="text-align: right;">27</p>
<p>1 Q. I'm not a quick thinker. And then</p> <p>2 you were also assigned some side-by-side</p> <p>3 trainer?</p> <p>4 A. Correct.</p> <p>5 Q. How long would you work with that</p> <p>6 trainer before you were able to perform your</p> <p>7 duties on your own?</p> <p>8 A. I don't remember.</p> <p>9 Q. You don't know -- you have no</p> <p>10 judgment as to whether it was three days or</p> <p>11 three months?</p> <p>12 A. I can make an estimation.</p> <p>13 I'm not -- I can't be accurate. Maybe two</p> <p>14 weeks.</p> <p>15 Q. And then from then on you had a</p> <p>16 supervisor?</p> <p>17 A. Correct.</p> <p>18 Q. Were your decisions while you were</p> <p>19 monitoring telephone calls, for example, and</p> <p>20 you were grading -- is that a fair term,</p> <p>21 grading the Assurant employee who was talking</p> <p>22 on the phone with the insurance company?</p> <p>23 A. Are you referring to quality</p> <p>24 assurance or loss drafts?</p> <p>25 Q. Well, I'm jumping back to quality</p> <p style="text-align: right;">26</p>	<p>1 A. I'm not -- there's different</p> <p>2 departments for different functionalities of</p> <p>3 the company so I don't know what they were</p> <p>4 doing. That was my particular</p> <p>5 responsibility. I don't know what they were</p> <p>6 doing.</p> <p>7 Q. This was the quality assurance</p> <p>8 wing?</p> <p>9 A. Correct.</p> <p>10 Q. These are all people within</p> <p>11 Assurant on this particular wing that are</p> <p>12 monitoring some aspect of other Assurant</p> <p>13 employees?</p> <p>14 A. Correct.</p> <p>15 Q. Why was that important?</p> <p>16 A. To ensure quality is maintained;</p> <p>17 that policies are followed.</p> <p>18 Q. When you would listen to the</p> <p>19 telephone recording, how was that stored? Was</p> <p>20 it on a computer, or was it on a cassette</p> <p>21 tape, or what?</p> <p>22 A. It was an electronic recording.</p> <p>23 Q. After you listened to that</p> <p>24 telephone recording, made your grading system</p> <p>25 on the computer, what happened to that</p> <p style="text-align: right;">28</p>

LANIER JEFFREY - VOLUME I

<p>1 recording when you worked at Assurant?</p> <p>2 A. It still remained within the</p> <p>3 website.</p> <p>4 Q. Do you know what their retention</p> <p>5 policy was at Assurant in retaining those type</p> <p>6 of recordings?</p> <p>7 A. I do not.</p> <p>8 Q. Had you ever heard any of your</p> <p>9 supervisors while you were at Assurant</p> <p>10 mentioning the fact that these recordings</p> <p>11 would be preserved for some time so that other</p> <p>12 people could review them, like for example,</p> <p>13 you in turn were audited by the separate</p> <p>14 department?</p> <p>15 A. No, I don't recall them</p> <p>16 referring to a retention policy.</p> <p>17 Q. But you do know that that</p> <p>18 recording wasn't destroyed by you when you</p> <p>19 worked at Assurant?</p> <p>20 A. Correct.</p> <p>21 Q. You didn't have authority to</p> <p>22 destroy that recording?</p> <p>23 A. Correct.</p> <p>24 Q. What I'm trying to get at is how</p> <p>25 was that recording sent to you. Was it -- did</p> <p style="text-align: right;">29</p>	<p>1 don't remember exactly what I would utilize</p> <p>2 e-mail for other than asking for time off or</p> <p>3 communicating to your department, your team,</p> <p>4 whatever e-mails from your manager that you</p> <p>5 might receive.</p> <p>6 Q. You mentioned the word team. Was</p> <p>7 Assurant segregated into different teams?</p> <p>8 A. Yes.</p> <p>9 Q. What was your team called?</p> <p>10 A. Loss drafts.</p> <p>11 Q. Loss drafts. How many people were</p> <p>12 in your loss draft team?</p> <p>13 A. Approximately 55.</p> <p>14 Q. Did you work closely with these</p> <p>15 people? Were they all in the same wing or</p> <p>16 room with you?</p> <p>17 A. Fairly closely.</p> <p>18 Q. Was this a nine to five type of</p> <p>19 operation or did you have different shifts of</p> <p>20 people working within the Loss Draft</p> <p>21 Department?</p> <p>22 A. The shifts varied.</p> <p>23 Q. Do you know how many shifts there</p> <p>24 were?</p> <p>25 A. I do not.</p> <p style="text-align: right;">31</p>
<p>1 you access like a main computer through your</p> <p>2 computer, or was each recording e-mailed to</p> <p>3 your computer, or what?</p> <p>4 A. We accessed a database, so to</p> <p>5 speak, that housed all of the recorded calls</p> <p>6 for applicable departments and we would</p> <p>7 access the database, retrieve the call, and</p> <p>8 listen to it.</p> <p>9 Q. What was the name of the software</p> <p>10 program or what did you call that?</p> <p>11 A. I don't remember.</p> <p>12 Q. Do you remember any of the</p> <p>13 programs that you used while you worked at</p> <p>14 Assurant?</p> <p>15 A. Lotus Notes.</p> <p>16 Q. Lotus Notes?</p> <p>17 A. It's an e-mail system.</p> <p>18 Q. Right. And is that how you</p> <p>19 communicated with folks within Assurant?</p> <p>20 A. Yes.</p> <p>21 Q. What type of information would you</p> <p>22 exchange with other Assurant employees by</p> <p>23 e-mail?</p> <p>24 A. I don't specifically remember.</p> <p>25 Vacation requests with your supervisor. I</p> <p style="text-align: right;">30</p>	<p>1 Q. Would you communicate with the</p> <p>2 folks that operated on the other shift?</p> <p>3 A. At times.</p> <p>4 Q. What would you use to communicate</p> <p>5 with them, e-mail?</p> <p>6 A. E-mail generally.</p> <p>7 Q. The Lotus e-mail?</p> <p>8 A. Yes.</p> <p>9 Q. If you were working on one</p> <p>10 particular file how would you know -- I'm</p> <p>11 speaking only at Assurant -- how would you</p> <p>12 know what other communications had been done</p> <p>13 on that file?</p> <p>14 MS. ROBINSON: You talking about</p> <p>15 by other Assurant employees?</p> <p>16 MR. McDONALD: I'll start with</p> <p>17 that, yes, ma'am, yeah.</p> <p>18 A. Within loss drafts or --</p> <p>19 Q. Sure. Well, within the company.</p> <p>20 Let's start general. Let's start with the</p> <p>21 whole Assurant company?</p> <p>22 A. That I don't remember. As far</p> <p>23 as within loss drafts, we had a physical file</p> <p>24 and there were records on a database that you</p> <p>25 could read the notes for how the claim was</p> <p style="text-align: right;">32</p>

LANIER JEFFREY - VOLUME I

<p>1 being handled prior to you taking over the 2 file.</p> <p>3 Q. So if you wanted to know, okay, I 4 got this file on Tuesday, but the file's been 5 opened for six months and you want to know 6 what's been going on in that file, you could 7 access other people's notes by going to a 8 particular database?</p> <p>9 A. Correct.</p> <p>10 Q. Do you remember the name of that 11 database?</p> <p>12 A. It was Draft Track.</p> <p>13 Q. Draft Track. What type of 14 information was on Draft Track?</p> <p>15 A. Claim amounts, type of loss, 16 date of loss, borrower mailing address, 17 property address, and any notes pertaining to 18 the claim, inspection results, percentages of 19 that, et cetera.</p> <p>20 Q. It's pretty critical for you to be 21 able to do your job properly when you were at 22 Assurant to have access to the history of the 23 file, right?</p> <p>24 A. Correct.</p> <p>25 Q. I mean, can you think of a way to</p> <p style="text-align: right;">33</p>	<p>1 Q. Is that the same definition that 2 y'all use at Chase?</p> <p>3 A. Yes.</p> <p>4 Q. So when there's a Loss Draft 5 Department at Chase -- which is where you work 6 today, right?</p> <p>7 A. No.</p> <p>8 Q. Well, at one point in time when 9 you worked in loss draft that was the term 10 that y'all used?</p> <p>11 A. Yes.</p> <p>12 Q. And that has to do with the check 13 that comes from the insurance company?</p> <p>14 A. Yes.</p> <p>15 Q. How did you get contact with JP 16 Morgan Chase when you decided to come back 17 into the easy part of the work force as 18 opposed to the hard part?</p> <p>19 A. Chase.com, applied for a job on 20 their website.</p> <p>21 Q. So you didn't have any contact at 22 JP Morgan Chase, you just cold called and 23 applied?</p> <p>24 A. Correct.</p> <p>25 Q. What were the -- what were they</p> <p style="text-align: right;">35</p>
<p>1 be able to do your job properly and 2 efficiently if you couldn't see what other 3 people had done on that file?</p> <p>4 A. No.</p> <p>5 Q. It's just -- that's just common 6 sense. Did you tell me what loss draft means 7 in laymen's terms?</p> <p>8 A. Loss draft is actually -- is 9 hazard check.</p> <p>10 Q. Tell me what that means.</p> <p>11 A. A hazard claim check received 12 from an insurance company, disbursement of 13 funds on behalf of a hazard claim policy 14 through an insurance company.</p> <p>15 Q. So the scenario would have been 16 someone's house burns, either it burns down or 17 burns partially, when the insurance pays all 18 or part of that claim y'all use the term loss 19 draft?</p> <p>20 A. Correct.</p> <p>21 Q. And that --</p> <p>22 A. Or hazard draft.</p> <p>23 Q. Or hazard draft. And those terms 24 can be used interchangeably?</p> <p>25 A. Yes.</p> <p style="text-align: right;">34</p>	<p>1 looking for?</p> <p>2 A. A loss draft analyst.</p> <p>3 Q. With some type of experience?</p> <p>4 A. Presumably. It didn't 5 specifically state that but --</p> <p>6 Q. And did you interview for the job?</p> <p>7 A. I did.</p> <p>8 Q. Who interviewed you?</p> <p>9 A. [REDACTED]</p> <p>10 Q. What was her job title, do you 11 remember?</p> <p>12 A. Loss draft manager.</p> <p>13 Q. Okay. And once you get, I presume, 14 hired right on the spot?</p> <p>15 A. I was hired the job that 16 day, but yes.</p> <p>17 Q. And you came on as a senior 18 operational specialist?</p> <p>19 A. Yes.</p> <p>20 Q. And what does that mean?</p> <p>21 A. A loss draft processor. You're 22 considered a specialist because it's a 23 specialty area.</p> <p>24 Q. So did you have to take any 25 particular Chase courses to be deemed a</p> <p style="text-align: right;">36</p>

9 (Pages 33 to 36)

LANIER JEFFREY - VOLUME I

<p>1 specialist or you were a specialist on day 2 one? 3 A. On day one. 4 Q. And is there a junior operation 5 specialist? 6 A. No. 7 Q. Could you give me kind of a chart 8 of people in the Loss Draft Department? Do 9 people start out as a senior operations 10 specialist? Are there other job descriptions 11 that -- 12 A. There was operations specialist, 13 senior operations specialist, team lead or 14 senior lead, and manager. 15 Q. So if I drew a -- let's say a 16 chart within the Loss Draft Department you've 17 got the manager at the top? 18 A. Yes. 19 Q. And then you've got the -- who's 20 right underneath the manager? 21 A. It would be the team lead also 22 referred to as senior lead. 23 Q. Team or senior lead. And then 24 underneath that is the senior operations 25 specialist?</p>	<p>1 Q. The Gahanna office. Is that the 2 name of a city? 3 A. Suburb, yes. 4 Q. How far is that from the building 5 that we're at today? 6 A. Approximately 15 minutes. 7 Q. Have you ever been in the building 8 we're in today? 9 A. No. 10 Q. Have you ever given a deposition 11 before? 12 A. Yes. 13 Q. Tell me about that. 14 A. It was a lawsuit pertaining to 15 my mother. 16 Q. It didn't have anything to do with 17 Chase? 18 A. No. No. 19 Q. Have you ever testified in court 20 before? 21 A. No. 22 Q. Tell me what you did to prepare 23 for this deposition today. Did you look at 24 any documents? 25 A. Yes.</p>
37	39
<p>1 A. Yes. 2 Q. And then underneath that is the 3 operations specialist? 4 A. Yes. 5 Q. Can you think of any other 6 designations of folks who worked within the 7 Loss Draft Department? 8 A. No. 9 Q. How was it that you were able to 10 come in as a senior operations specialist and 11 in my mind skip operations specialist? Based 12 on your experience at Assurant? 13 A. Correct. 14 Q. Does Assurant have employees that 15 are -- the only word I can think of is 16 embedded within Chase? 17 A. I don't understand the question. 18 Q. Are there Assurant employees that 19 operate and work in the same building that you 20 work in today? 21 A. No. 22 Q. Where do you work? 23 A. I work at the Gahanna office. 24 Q. How do I spell that? 25 A. G-A-H-A-N-N-A.</p>	<p>1 Q. Could you tell me what they are? 2 A. The payoff claim file. 3 Q. What is the payoff claim file? 4 A. It is a physical copy of the 5 file that was processed during the time of 6 handling in the Loss Drafts Department. 7 Q. What is contained in the payoff 8 claim file? 9 A. Copies of letters, mailers if 10 applicable, copies of claim checks and/or 11 disbursement checks, copies of any applicable 12 inspections. 13 Q. Inspections of the house? 14 A. Correct. 15 Q. Okay. What about e-mail exchanges 16 within Chase, is that kept in a hard copy 17 form? 18 A. At times. Not always. 19 Q. Who decides whether those types of 20 things are kept in the file? 21 A. There are certain e-mail 22 exchanges that are required by policy to be 23 printed off and placed in the file, and other 24 than that it would be the processor's 25 determination.</p>
38	40

LANIER JEFFREY - VOLUME I

<p>1 Q. What types of exchanges are 2 required by Chase's internal policies and 3 procedures to be kept in the physical file? 4 A. At that time it was the e-mail 5 requesting the payoff. 6 Q. Why is that important? 7 A. To ensure for your audit purpose 8 that you requested the payoff within the 9 appropriate time frame. 10 Q. That the payoff was requested 11 within the appropriate time frame? 12 A. Correct. 13 Q. And who in this case was the 14 e-mail requesting payoff from? 15 A. Myself. 16 Q. Who was it to? 17 A. The Default Payoff Department. 18 Q. The Default Payoff Department. Do 19 you know who you address that to or did you 20 just address it to the Default Payoff 21 Department? 22 A. It was to an analyst named Atia. 23 Q. Is she a Chase employee? 24 A. She was at that time. 25 Q. She was at that time.</p> <p style="text-align: right;">41</p>	<p>1 A. The BPO -- well, that's the same 2 thing as an inspection but -- 3 Q. Was there just one BPO? 4 A. Yes. 5 Q. Did you order the BPO? 6 A. I did. 7 Q. We'll come back to that in a 8 minute, but why did you order the BPO? 9 A. Per Fannie Mae's request. 10 Q. What is in the payoff claim file? 11 A. The Form 176. 12 Q. What is that? 13 A. An investor document. One of 14 Fannie Mae's request forms. 15 MR. KILBORN: I can't -- 16 MR. McDONALD: That's my fault 17 because I -- 18 MS. ROBINSON: You're soft and 19 she's responding to you. 20 MR. McDONALD: -- I get quiet and 21 then she -- 22 MS. ROBINSON: Yeah. 23 MR. McDONALD: In this room I 24 don't want you to think I'm yelling because of 25 the echo, but my partner can't hear.</p> <p style="text-align: right;">43</p>
<p>1 A. Uh-huh (in the affirmative). 2 Q. Her last name start with an M? 3 A. Do you have the document -- 4 Q. Oh, this is the document that Ms. 5 Sandy just gave me today. Right. Let me see. 6 Yeah, [REDACTED]? 7 A. Yes. 8 Q. She was a Chase analyst at that 9 time? 10 A. Yes. 11 Q. Was there anything else in the 12 payoff claims file that you reviewed? 13 A. There was an e-mail exchange 14 between myself and the investor. 15 Q. And who is the investor? 16 A. Fannie Mae. 17 Q. What else? 18 A. An e-mail between myself and the 19 supervisor of the department that I was 20 working in at that time. 21 Q. And who was that? 22 A. [REDACTED] 23 Q. [REDACTED] -- 24 A. [REDACTED] I believe. 25 Q. Anything else?</p> <p style="text-align: right;">42</p>	<p>1 Q. (BY MR. McDONALD) Tell me what the 2 Form 176 is. 3 A. It is a form to request various 4 things from Fannie Mae, depends on what 5 you're asking, but it's a standard form that 6 they have they want the servicer to fill out 7 when making requests. 8 Q. It's a Fannie Mae document that 9 they want you to fill out when you're making a 10 request of Fannie Mae? 11 A. Yes. 12 Q. And did you fill out the Form 176? 13 A. Yes. 14 Q. And what information did you base 15 -- how did you get the information that you 16 put on Form 176? 17 A. From our business records. 18 Q. What business records did you 19 consult? 20 A. Our servicing system. 21 Q. What's the servicing system 22 called? 23 A. MSP. 24 Q. And MSP stands for what? 25 A. Mortgage Servicing Package, I</p> <p style="text-align: right;">44</p>

11 (Pages 41 to 44)

LANIER JEFFREY - VOLUME I

<p>1 believe.</p> <p>2 Q. Who has access to Mortgage</p> <p>3 Servicing Package?</p> <p>4 A. I don't understand your</p> <p>5 question.</p> <p>6 Q. MSP contains notes that are made</p> <p>7 by different people, right?</p> <p>8 A. Yes.</p> <p>9 Q. In other words, different folks</p> <p>10 get on or access MSP and whatever information</p> <p>11 they think is relevant to the file they type</p> <p>12 in, right?</p> <p>13 A. You're not required to notate in</p> <p>14 MSP if that's what you're asking.</p> <p>15 Q. Well, who decides whether</p> <p>16 something is worthy enough to make it to the</p> <p>17 MSP?</p> <p>18 A. That would be that department's</p> <p>19 determination. I don't know about that.</p> <p>20 Q. How many departments access MSP?</p> <p>21 A. I'm not sure.</p> <p>22 Q. When you access MSP you see that</p> <p>23 there are different codes and -- entered by</p> <p>24 different people, right? There's information</p> <p>25 that's entered and then at the end the person</p> <p style="text-align: right;">45</p>	<p>1 there's the borrower's contact information.</p> <p>2 You don't necessarily need to access the note</p> <p>3 screens to process a loan using MSP. That's</p> <p>4 not the sole purpose for using MSP.</p> <p>5 Q. There is information about -- in</p> <p>6 this particular case entered into MSP that is</p> <p>7 not strictly payment information, right?</p> <p>8 A. Yes, for all loans there is</p> <p>9 additional information as well, yes.</p> <p>10 Q. Who decides what information to</p> <p>11 enter onto MSP?</p> <p>12 A. I'm not sure. It would vary by</p> <p>13 department.</p> <p>14 Q. Well, is it safe to say that it's</p> <p>15 supposed to be so that it helps other analysts</p> <p>16 as they're trying to find out what happened in</p> <p>17 a file?</p> <p>18 MS. ROBINSON: I'm going to object</p> <p>19 to the form. She said she doesn't know. It's</p> <p>20 department by department.</p> <p>21 Q. You can answer.</p> <p>22 A. I'm not sure.</p> <p>23 Q. So when you have looked at MSP</p> <p>24 before -- in the ordinary course of your job,</p> <p>25 you access MSP on a daily basis, right?</p> <p style="text-align: right;">47</p>
<p>1 who is entering that information gives their</p> <p>2 name or abbreviation of their name and the</p> <p>3 code of the department they're working in,</p> <p>4 right?</p> <p>5 A. Not always, no.</p> <p>6 Q. If you want to access MSP and</p> <p>7 there's a note in there that you're not sure</p> <p>8 whether that information is accurate, how do</p> <p>9 you go about determining whether it's accurate</p> <p>10 or not?</p> <p>11 A. When you say -- why would I need</p> <p>12 to know? I guess I don't understand the</p> <p>13 question. What would I need to know about a</p> <p>14 note? What would I be looking for?</p> <p>15 Q. I'll get to the documents in a</p> <p>16 second, but as I understand it, MSP -- people</p> <p>17 put information entered into MSP, right?</p> <p>18 A. Yes.</p> <p>19 Q. And that information is something</p> <p>20 so there's a record of what has transpired on</p> <p>21 the file, right?</p> <p>22 A. MSP is not just a system for</p> <p>23 notations. It's Chase's servicing system in</p> <p>24 general, so there is payment history, there's</p> <p>25 the borrower's origination information,</p> <p style="text-align: right;">46</p>	<p>1 A. Yes.</p> <p>2 Q. And you see in MSP that there are</p> <p>3 actually notes entered into MSP, correct?</p> <p>4 A. I would not necessarily see the</p> <p>5 notes when accessing MSP.</p> <p>6 Q. Why not?</p> <p>7 A. I wouldn't necessarily need to</p> <p>8 access the note screen to do my job.</p> <p>9 Q. So you have the option when you</p> <p>10 enter into MSP of just strictly staying within</p> <p>11 the payment area and not going into the note</p> <p>12 section?</p> <p>13 A. You access the applicable screen</p> <p>14 that's relative to whatever it is that you're</p> <p>15 trying to obtain from that system. If I'm</p> <p>16 trying to validate your phone number then I</p> <p>17 would go to the screen that lists your phone</p> <p>18 number. I wouldn't necessarily scroll</p> <p>19 through the entire loan to do the file.</p> <p>20 Q. But in performing your duties</p> <p>21 within the Loss Draft Department, there's</p> <p>22 nothing that prohibits you from going into any</p> <p>23 area within the MSP system, right?</p> <p>24 A. There are access levels. You</p> <p>25 don't have access to every single screen</p> <p style="text-align: right;">48</p>

12 (Pages 45 to 48)

LANIER JEFFREY - VOLUME I

<p>1 within MSP. No, you don't. It depends on 2 how your profile was set up when you were 3 boarded and how your supervisor requested 4 access for you. So you would not have access 5 to all screens, no.</p> <p>6 Q. Well, at some point in time you 7 became the team leader of Loss Draft 8 Department or a team leader, right?</p> <p>9 A. Yes.</p> <p>10 Q. So you were one step below the 11 manager of the entire department?</p> <p>12 A. Yes.</p> <p>13 Q. And as a team leader in that 14 position is it your testimony that there were 15 certain areas of this MSP that you were 16 prohibited from reviewing?</p> <p>17 A. That is correct.</p> <p>18 Q. Do you know what levels those are 19 called?</p> <p>20 A. I don't.</p> <p>21 Q. Who would know?</p> <p>22 A. I'm not sure.</p> <p>23 Q. Well, when you were first set up 24 you were set up as a senior operations 25 specialist, right?</p> <p style="text-align: right;">49</p>	<p>1 his question.</p> <p>2 A. Can you state the question 3 again?</p> <p>4 Q. At some point in time -- well, not 5 at some point in time. You became the team 6 leader from 2008 to March of 2011, correct?</p> <p>7 A. Yes.</p> <p>8 Q. And you're saying that your access 9 to the MSP system did not increase, for lack 10 of a better term, you didn't have a greater 11 access to the MSP system as the team leader 12 than you did when you were the senior 13 operations specialist?</p> <p>14 A. That's correct.</p> <p>15 Q. You were still limited by the 16 person whose name you don't recall set you up 17 initially when you were hired on in May of 18 2006?</p> <p>19 MS. ROBINSON: Object to form. 20 You can answer.</p> <p>21 A. It was not limited by the person 22 that set up the access. Each area within 23 Chase has access to regions of MSP that are 24 applicable to your job, so you're not able to 25 have free reign to the entire system and do</p> <p style="text-align: right;">51</p>
<p>1 A. Correct.</p> <p>2 Q. And the person who determined your 3 access level was the team leader, right?</p> <p>4 A. No. There was one particular 5 person within the team that ordered access 6 for everyone but she was not the team lead.</p> <p>7 Q. She wasn't as high as the team 8 lead?</p> <p>9 A. No. She ordered whatever access 10 was applicable to your job.</p> <p>11 Q. And she was supervised by the team 12 leader?</p> <p>13 A. I presume, yes.</p> <p>14 Q. Did your access level change as 15 you moved your way up from senior operations 16 specialist to team leader?</p> <p>17 A. No.</p> <p>18 Q. So even though you became team 19 leader you were restricted access-wise to the 20 MSP system by someone who was -- actually you 21 were supervising?</p> <p>22 MS. ROBINSON: I object to form. 23 She said that person only gave you the access 24 appropriate to your job not that they made the 25 decision. You can answer if you understand</p> <p style="text-align: right;">50</p>	<p>1 every functionality as the same person in 2 another department. So no, everyone does not 3 -- managers do not have access to do certain 4 functions within the system as well if it's 5 not applicable to your job. You have access 6 to all the screens applicable to what you do.</p> <p>7 Q. And your understanding is that 8 even as the team leader you did not have 9 access to all the notes that were being put 10 into the MSP system?</p> <p>11 A. I did have access to all the 12 notes. I did not have access to all of the 13 screens.</p> <p>14 Q. What screens were you barred from 15 accessing?</p> <p>16 A. I can't say for sure. I'm not 17 able to list all of them.</p> <p>18 Q. Can you list one?</p> <p>19 A. I don't recall the exact name of 20 the screen but it was a payoff-related 21 screen. I believe it was the screen where 22 you actually pay off the loan and apply the 23 funds to that. Only the payoff department as 24 far as I understand would have access to that 25 screen.</p> <p style="text-align: right;">52</p>

LANIER JEFFREY - VOLUME I

<p>1 Q. Who's the only person that would 2 have access to the screen?</p> <p>3 A. The payoff department, the area 4 that actually pays off loans.</p> <p>5 Q. You are familiar with this 6 particular file because you reviewed it 7 yesterday, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Tell me in your own words before 10 we get into specifics what you think happened 11 here.</p> <p>12 MS. ROBINSON: Object just being 13 overbroad. Do you want her to say what she 14 did?</p> <p>15 MR. McDONALD: Sure.</p> <p>16 A. So you're specifically asking me 17 what was my involvement in the case or I 18 don't understand the question.</p> <p>19 Q. Tell me what your involvement is 20 on this particular file.</p> <p>21 A. I reviewed the file, contacted 22 the borrower for missing documentation, 23 contacted the investor for processing for 24 process request, contacted the borrower to 25 provide the investor's response, re-evaluated</p> <p style="text-align: right;">53</p>	<p>1 originally went to the payoff department, 2 right?</p> <p>3 A. No.</p> <p>4 Q. Where did the funds originally go 5 to?</p> <p>6 A. The hazard claims processing 7 center.</p> <p>8 Q. What is the difference between the 9 hazard claims processing center and the payoff 10 department?</p> <p>11 A. The hazard claims processing 12 center is the area that actually handles all 13 insurance claim funds.</p> <p>14 Q. Did you ever see a copy of the 15 check?</p> <p>16 A. I did.</p> <p>17 Q. Do you know who stamped it in and 18 received it when it first came in?</p> <p>19 A. It would be the mailroom of the 20 Hazard Insurance Processing Center.</p> <p>21 Q. What does the stamp in the 22 mailroom of the hazard claim processing center 23 say on it?</p> <p>24 A. You're asking the date?</p> <p>25 Q. No.</p> <p style="text-align: right;">55</p>
<p>1 the file, and requested th payoff of the 2 loan.</p> <p>3 Q. You were prohibited by Chase's 4 system from actually applying the payoff to 5 the loan?</p> <p>6 A. That's not part of our job 7 functionality, yes.</p> <p>8 Q. I understand. I'm saying that I'm 9 not trying to imply that that was your job. I 10 just want to make sure I understand your job.</p> <p>11 A. That is correct.</p> <p>12 Q. Your job though was to determine 13 whether loan payoff was appropriate or not and 14 then to make a recommendation to the payoff 15 department based on your findings?</p> <p>16 A. No.</p> <p>17 Q. What was your job?</p> <p>18 A. Your job is to work with the 19 borrower to identify their intentions for the 20 claim funds. If the loan is applicable for 21 payoff based off of various criteria you then 22 submit a request and advise the payoff 23 department to pay off the loan using the 24 funds.</p> <p>25 Q. And the funds in this case</p> <p style="text-align: right;">54</p>	<p>1 MS. ROBINSON: Are you going to 2 show her a document if you're asking her about 3 it?</p> <p>4 MR. McDONALD: Well, I just kind 5 of want to get a feel first.</p> <p>6 MS. ROBINSON: I just don't want 7 her to have to -- you know, you're going to 8 ask her --</p> <p>9 MR. KILBORN: That's not an 10 objection. Just ask your question.</p> <p>11 MS. ROBINSON: Okay. Well, I 12 object because if you're going to ask her a 13 question about a document --</p> <p>14 MR. KILBORN: That's a speaking 15 objection. We're not going to permit that at 16 all.</p> <p>17 MS. ROBINSON: Well, we're only 18 going to have one lawyer on the Plaintiff's 19 side dealing. Y'all can all come, but I'm not 20 going to have David asking the questions and 21 deal with you too, Vince. I'm just objecting 22 because I would like for you to show her a 23 document, but go ahead and ask the question.</p> <p>24 Q. (BY MR. McDONALD) Every lawyer 25 takes depositions differently, Ms. Lanier.</p> <p style="text-align: right;">56</p>

LANIER JEFFREY - VOLUME I

<p>1 We'll squabble a little bit, but I like to try 2 to get a feel for the general knowledge of the 3 case and I'll get to exhibits later.</p> <p>4 When a check comes into the hazard 5 claims processing center, are they noted in 6 any way by the hazard claims processing 7 center?</p> <p>8 A. Are the checks noted?</p> <p>9 Q. Yes.</p> <p>10 A. Meaning in the system or are 11 they physically tagged?</p> <p>12 Q. Both. Let's start with the 13 physically tagged.</p> <p>14 A. Yes, they are date stamped.</p> <p>15 Q. They're date stamped. And isn't 16 there something that identifies the hazard 17 claims processing center in addition to the 18 date stamp on the check so that --</p> <p>19 A. Like is there a department name? 20 Are you asking if their department name is 21 stamped on there?</p> <p>22 Q. Yes.</p> <p>23 A. I don't believe it is. Can I 24 see the check? I think it just says date 25 received. I'm not --</p> <p style="text-align: right;">57</p>	<p>1 processing center -- where is that located by 2 the way?</p> <p>3 A. For this particular loan it's in 4 Atlan -- Duluth, Georgia. Excuse me.</p> <p>5 Q. So the check came into the hazard 6 claims processing center in Duluth, Georgia, 7 then it gets stamped physically, right?</p> <p>8 A. Yes.</p> <p>9 Q. And then gets entered into the 10 system?</p> <p>11 A. Yes.</p> <p>12 Q. Is this still part of the MSP 13 system?</p> <p>14 A. No.</p> <p>15 Q. What is the system?</p> <p>16 A. DTE.</p> <p>17 Q. What is DTE?</p> <p>18 A. Draft Track Enterprise.</p> <p>19 Q. Draft Track Enterprise. What is 20 the purpose of the Draft Track Enterprise?</p> <p>21 A. It is the system of record for 22 our Hazard Insurance Processing Center.</p> <p>23 Q. What type of information is 24 contained on the Draft Track Enterprise?</p> <p>25 A. All information pertaining to</p> <p style="text-align: right;">59</p>
<p>1 MS. ROBINSON: Just answer what 2 you remember without the document because he 3 wants to ask you about the document later, so 4 if you don't remember without looking at it, 5 just tell him you don't remember.</p> <p>6 A. I don't remember.</p> <p>7 Q. But you do know that they're date 8 stamped so that Chase has a record of exactly 9 when that particular check was received?</p> <p>10 A. Yes.</p> <p>11 Q. And your recollection is that it 12 came to the hazard claims processing center?</p> <p>13 A. Yes.</p> <p>14 Q. What is the basis of that 15 recollection?</p> <p>16 A. The date stamp on the check and 17 a copy of the mail log.</p> <p>18 Q. What is the mail log?</p> <p>19 A. It's when any incoming check 20 comes into the mail department there's a log 21 attached to it that shows the check number, 22 check amount, loan number.</p> <p>23 Q. Is that computer generated?</p> <p>24 A. Yes.</p> <p>25 Q. So it comes into the hazard claims</p> <p style="text-align: right;">58</p>	<p>1 the amount of the claim, type of claim, date 2 of loss, disbursement of the funds, borrower 3 contact information, and notes on actions 4 taken on the loan.</p> <p>5 Q. The note part of the DTE, are 6 there any notes in the DTE system that have to 7 do with communications with the borrower?</p> <p>8 A. Yes.</p> <p>9 Q. Who in the hazard claims 10 processing center interacts with borrowers?</p> <p>11 A. Any of the customer service 12 representatives and the processors if 13 applicable.</p> <p>14 Q. What would be the purpose of them 15 interacting with the borrower?</p> <p>16 A. Them being the processors or 17 customer service?</p> <p>18 Q. First with the processors in the 19 hazard claims department?</p> <p>20 A. If they were trying to validate 21 any piece of the claim or ask the borrower a 22 specific question to assist them in doing the 23 disbursements or possibly returning the phone 24 call from the borrower.</p> <p>25 Q. But the hazard claims processing</p> <p style="text-align: right;">60</p>

LANIER JEFFREY - VOLUME I

<p>1 department, they're not the folks who give the 2 loan payoff, are they? 3 A. No. 4 Q. What's the name of that 5 department? 6 A. People that apply the payoff to 7 the loan? 8 Q. No. Who -- all right. My house 9 burns to the ground. Chase is the service 10 provider. My insurance company has called it 11 a total loss. They want to pay it off. When 12 I call and ask for the payoff amount, what 13 department do I get routed to at Chase? 14 A. Customer service. 15 Q. Customer service. And customer 16 service gives me that information? 17 A. That I'm not sure about. 18 Q. But regardless, my check that gets 19 sent by me or my insurance company goes to the 20 Hazard Claims Loss Department in Duluth, 21 Georgia, right? 22 A. Yes. 23 Q. They input it, they stamp the 24 check, and then they also put it into the DTE 25 system?</p> <p style="text-align: right;">61</p>	<p>1 A. Yes. Escrow administration, the 2 overall department has a mailroom. 3 Q. And then when that's opened, 4 confirmation of receipt of that, is that 5 entered also into the DTE system? 6 A. No. 7 Q. How is that noted? 8 A. In your -- in the loss draft's 9 internal database. 10 Q. And what is that called? 11 A. At the time -- I don't know if 12 it even exists any longer. At the time it 13 was an MDA tracker, MDA. 14 Q. What did that stand for? 15 A. I don't remember. 16 Q. Did anybody outside of the Loss 17 Draft Department have access to the MDA? 18 A. No. 19 Q. What type of information would be 20 contained on that MDA? 21 A. Claim check number, amount, 22 borrower's name, insurance company, document 23 -- any supporting information that was 24 received along with the check. 25 Q. And then what would happen to the</p> <p style="text-align: right;">63</p>
<p>1 A. Yes. 2 Q. What physically happens with that 3 check? 4 A. If there is an attached letter 5 of intent from the borrowers stating they 6 want to pay off the loan they would forward 7 it to the Loss Draft Department in Columbus, 8 Ohio. If there is not a letter attached it 9 would be deposited into the restricted escrow 10 account to begin the monitor claim process or 11 endorsed, depending upon certain criteria and 12 returned back to the borrower. 13 Q. So if it has the letter -- the 14 right letter attached, then it goes to your 15 department? 16 A. Immediately, yes. 17 Q. Immediately. How is it 18 transferred? 19 A. Mailed overnight. 20 Q. So do you get like one big 21 overnight shipment out of Duluth, Georgia 22 every day? 23 A. Yes. 24 Q. And that goes -- have you got a 25 mailroom in the loss claims department?</p> <p style="text-align: right;">62</p>	<p>1 check? 2 A. Once the check is received by 3 the escrow administration mailroom they're 4 logged into their database, batched, and sent 5 to the Loss Draft Department where they are 6 in turn entered into the MDA tracker 7 database. 8 Q. What is transferred to the Loss 9 Draft Department? 10 A. A copy of the actual check 11 that's locked in the safe. 12 Q. The real check comes up to 13 Columbus, Ohio, goes to the escrow -- goes to 14 the -- what did you call that department? 15 A. Escrow Administration Mailroom. 16 Q. Escrow Administration Mailroom, a 17 copy of the check is made, goes to your 18 department? 19 A. To loss draft, yes. 20 Q. The real check goes in an actual 21 safe? 22 A. It's locked in a safe, yes. 23 Q. And the safe is right onsite in 24 that same department? 25 A. In that -- yes, in the secured</p> <p style="text-align: right;">64</p>

16 (Pages 61 to 64)

LANIER JEFFREY - VOLUME I

<p>1 mailroom.</p> <p>2 Q. How big is that safe?</p> <p>3 A. I'm not sure.</p> <p>4 Q. Have you ever seen it?</p> <p>5 A. At the time it was like locked</p> <p>6 file cabinets.</p> <p>7 Q. They just file them, I guess, by</p> <p>8 alphabetically?</p> <p>9 A. I'm not sure what their filing</p> <p>10 system is.</p> <p>11 Q. Then what happens?</p> <p>12 A. When the check copy is received</p> <p>13 by loss drafts an analyst assigned to log in</p> <p>14 all the checks would enter all of the</p> <p>15 information into the MDA tracker database and</p> <p>16 provide the check copies to the applicable</p> <p>17 processor that's assigned to doing that</p> <p>18 functionality.</p> <p>19 MS. ROBINSON: When you get to a</p> <p>20 point, can we take a short break?</p> <p>21 MR. McDONALD: This is not an</p> <p>22 endurance contest. Anytime you need a break.</p> <p>23 We can take one now. That's fine.</p> <p>24 (Whereupon, a break was taken at</p> <p>25 11:08 a.m. EST)</p> <p style="text-align: right;">65</p>	<p>1 platforms within the overall system but</p> <p>2 you're not going to have free reign of all of</p> <p>3 the platforms.</p> <p>4 Q. When you're accessing MSP, you</p> <p>5 only access it through the computer, I guess,</p> <p>6 at your desk?</p> <p>7 A. Yes.</p> <p>8 Q. You don't access it through a</p> <p>9 personal computer, or iPad, or anything that</p> <p>10 you have, correct?</p> <p>11 A. No.</p> <p>12 Q. When you're accessing it, are</p> <p>13 there menus or platforms that show up that you</p> <p>14 cannot enter into?</p> <p>15 A. No.</p> <p>16 Q. So they're not even on your</p> <p>17 system?</p> <p>18 A. When you sign into the system it</p> <p>19 will show a platform that is assigned to you,</p> <p>20 for example, P8 may be a platform. That</p> <p>21 would be what you're assigned to. If you</p> <p>22 attempted to access a screen that wasn't</p> <p>23 contained within that you would get an error</p> <p>24 message on the system.</p> <p>25 Q. And the error message says not an</p> <p style="text-align: right;">67</p>
<p>1 Q. I may repeat a question or ask you</p> <p>2 to summarize because this is the first time</p> <p>3 that I'm actually kind of getting a picture of</p> <p>4 different departments, okay, so that's why I</p> <p>5 need you to help me.</p> <p>6 I think you testified that there's</p> <p>7 certain aspects of the MSP system that you</p> <p>8 don't have access to?</p> <p>9 A. Correct.</p> <p>10 Q. But you don't know what</p> <p>11 information is contained on that part of MSP</p> <p>12 or do you?</p> <p>13 A. I do not.</p> <p>14 Q. How do you know that there's</p> <p>15 certain aspects of it that you don't have</p> <p>16 access to?</p> <p>17 A. When you are a new hire you get</p> <p>18 a general overview of applicable systems that</p> <p>19 Chase has that will be relevant to your job</p> <p>20 so they introduce you to MSP, and they'll</p> <p>21 tell you that there are certain -- I can't</p> <p>22 remember the actual phrase for what they say,</p> <p>23 but let's say platforms, and when you are</p> <p>24 assigned to a platform that will contain</p> <p>25 certain screens. So there are various</p> <p style="text-align: right;">66</p>	<p>1 authorized user --</p> <p>2 A. Something to that nature.</p> <p>3 Q. -- something to that effect?</p> <p>4 A. Correct.</p> <p>5 Q. So you do have visibility of</p> <p>6 different platforms, I mean, the fact that</p> <p>7 there's a door there in laymen's terms, but</p> <p>8 you can't open that door?</p> <p>9 A. Correct.</p> <p>10 Q. When you received your orientation</p> <p>11 or at any time during the course of your</p> <p>12 employment at Chase, did you learn who has</p> <p>13 access to these other areas on the MSP system?</p> <p>14 A. No.</p> <p>15 Q. So even sitting here today, even</p> <p>16 though you were a team leader for quite</p> <p>17 some time, you don't know or can't tell us who</p> <p>18 had access to the full MSP system?</p> <p>19 A. No.</p> <p>20 Q. Do you remember the name of the</p> <p>21 person who first set you up within your</p> <p>22 particular platform, what her name was? You</p> <p>23 might have even given it to me and I didn't</p> <p>24 catch it.</p> <p>25 A. No.</p> <p style="text-align: right;">68</p>

LANIER JEFFREY - VOLUME I

<p>1 Q. Just so I have a better overview 2 of the different computer -- what's the term 3 you're most familiar with or comfortable with? 4 Is it computer systems, computer programs? I 5 want to know on a daily basis while you were a 6 team leader which computer -- 7 A. Systems. 8 Q. -- systems that you accessed. So 9 we have MSP, right? 10 A. Yes. 11 Q. And we had the MDA? 12 A. Yes. 13 Q. And did we have the DTE? 14 A. We had viewable access. You 15 could not -- 16 Q. You couldn't enter information but 17 you could view the information? 18 A. Correct. 19 Q. What else? 20 A. CCW, Customer Care Workbench. 21 Q. What was that? 22 A. That is a system that Chase uses 23 to notate some information as well as submit 24 a request/route to another area to do an 25 action on the loan.</p>	<p>1 South Carolina. 2 Q. Do these two Assurant sites, do 3 they have access to the CCW system? 4 A. Yes. 5 Q. Do they have full access to the 6 CCW system? 7 A. I'm not sure. 8 Q. Do you have full access to the CCW 9 system? 10 A. Define full access for me. 11 Q. Well, when we talked about MSP, as 12 I understand it, there's different platforms 13 that you are not able to access and that 14 you're not sure what, if any, information is 15 contained on those platforms, correct? 16 A. Correct. 17 Q. CCW, have you seen in accessing 18 that any platforms, portals, or whatever that 19 you are unable to enter, unauthorized to 20 enter? 21 A. With CCW there are also 22 different available tools, so I'm not 23 familiar with all the full functionality of 24 CCW. As far as what we used it for, my 25 understanding of CCW was for routes and</p>
69	71
<p>1 Q. When you say another area, do you 2 mean another department? 3 A. Yes. 4 Q. What is the difference between the 5 CCW and MSP? 6 A. CCW is a supplemental system 7 that communicates to all of the mortgage 8 servicing systems that Chase has. 9 Q. CCW has a broader accessibility 10 amongst all of the Chase departments? 11 A. Yes. 12 Q. And it's true that there are -- 13 your former employer, Assurant, there's 14 Assurant employees within one of the Chase 15 buildings, right? 16 A. No. 17 Q. Where are they? 18 A. In the processing centers 19 located throughout the country. 20 Q. And do you interact with all these 21 different Assurant processing centers? 22 A. Only two sites did we have to 23 interact with in my department. 24 Q. Who are -- 25 A. Duluth, Georgia and Florence,</p>	<p>1 notes, and that I did have full access to. 2 Anything else -- there are other tools built 3 within CCW, but because I don't utilize them 4 I've never really been made aware of what 5 they do or what is contained within them, so 6 I can't speak to that. But within the 7 functionality that we use CCW for, I had full 8 access to open routes and place -- or view 9 comments. 10 Q. What did you use CCW for? 11 A. To communicate on escalated 12 requests with the processing center as well 13 as to move funds or request certain actions 14 to be taken on the loan by other departments. 15 Q. What is an escalated request? 16 A. If the borrower was to contact 17 the Hazard Insurance Processing Center and 18 make a request for whether a disbursement or 19 something, some kind of exception to the 20 process outside of their guidelines, they 21 would have to request approval from loss 22 drafts in Columbus to do so. 23 Q. Such as? 24 A. May I please have \$30,000 25 instead of \$20,000.</p>
70	72

18 (Pages 69 to 72)

LANIER JEFFREY - VOLUME I

<p>1 Q. You're the one who makes that 2 decision?</p> <p>3 A. Whoever was working -- whoever 4 was assigned to handling those requests.</p> <p>5 Q. Is there a certain amount -- that 6 would be, for example, the operations analyst 7 or the senior operations analyst?</p> <p>8 A. Yes.</p> <p>9 Q. And I'm guessing that there's some 10 certain monetary amount where it gets bumped 11 up to you when you were the team leader that 12 you had to approve on?</p> <p>13 A. Even -- there wasn't a specific 14 dollar amount but there's still guidelines 15 for working the escalation request, even 16 within the Loss Drafts Department, that if 17 you're unsure it doesn't apply to the 18 guidelines that we have for answering the 19 question, you would escalate it to either a 20 team lead or the manager.</p> <p>21 Q. And what would you consult with in 22 order to make the final call?</p> <p>23 A. Sometimes it was just best 24 business decision. As long as it was within 25 investor guidelines then you were able to</p> <p style="text-align: right;">73</p>	<p>1 A. Who owned the loan or who 2 originated the note?</p> <p>3 Q. Let's start with who originated 4 the note?</p> <p>5 A. Without revealing the note I 6 couldn't answer that for you.</p> <p>7 Q. Does Chase originate notes?</p> <p>8 A. In general, yes.</p> <p>9 Q. In your -- when you worked in the 10 Loss Draft Department did you service notes 11 that were both originated by Chase and by 12 others?</p> <p>13 A. Yes.</p> <p>14 Q. Was there a distinction between 15 how notes originated by Chase and other loan 16 origination, either banks or financial 17 institutions?</p> <p>18 A. No.</p> <p>19 Q. So y'all monitored -- y'all 20 processed them the exact same way?</p> <p>21 A. Based off of who originated it. 22 It wasn't a criteria. The investor was a 23 criteria. The originator was not -- the 24 originating company to sign over a note to 25 the borrower is not something that we took</p> <p style="text-align: right;">75</p>
<p>1 have discretion.</p> <p>2 Q. And the investor guidelines are 3 published by the various mortgage companies 4 that you were servicing?</p> <p>5 A. By the investors, Fannie Mae, 6 Freddie Mac, Ginnie Mae, financial investors.</p> <p>7 Q. I need to take a step back because 8 lawyers like to testify. But let's take one 9 step back here and make sure I understand. 10 Is Chase a bank?</p> <p>11 A. Chase is a financial 12 institution, yes.</p> <p>13 Q. Is there a difference between bank 14 and financial institution in your --</p> <p>15 A. That's just how they word it 16 when they train you, so that's the same way 17 that we quote it. We're a financial 18 institution.</p> <p>19 Q. It sounds more -- 20 MS. ROBINSON: Just ask her 21 questions.</p> <p>22 Q. In this case who owned, or who was 23 the investor, or whatever term you use, this 24 particular note, we're talking about April 25 Barnett?</p> <p style="text-align: right;">74</p>	<p>1 into account. Who invested in the loan, we 2 did.</p> <p>3 Q. And is Chase a loan investor?</p> <p>4 A. I'm not sure.</p> <p>5 Q. What loan investors did you deal 6 with in the Loss Draft Department?</p> <p>7 A. Fannie Mae, Freddie Mac, Ginnie 8 Mae.</p> <p>9 Q. Just briefly can you tell me what 10 the difference is between Fannie Mae, Freddie 11 Mac, and Ginnie Mae?</p> <p>12 A. I don't understand the question.</p> <p>13 Q. Is there a difference between 14 those three financial institutions? What are 15 they?</p> <p>16 A. Three different entities.</p> <p>17 Q. Right. Do you know -- if you 18 know, fine, if you don't know, fine, but do 19 you know what --</p> <p>20 A. No.</p> <p>21 Q. -- each of those particular 22 financial institutions, if they are directed 23 to particular products or folks?</p> <p>24 A. I don't know.</p> <p>25 Q. Okay. And you didn't service any</p> <p style="text-align: right;">76</p>

LANIER JEFFREY - VOLUME I

<p>1 loans that Chase was the investor; is that</p> <p>2 what you're saying?</p> <p>3 A. I don't remember.</p> <p>4 Q. So far we got the MSP, MDA, DTE,</p> <p>5 and CCW. Were there any other systems that</p> <p>6 you accessed in your day-to-day duties in the</p> <p>7 Loss Draft Department at Chase?</p> <p>8 A. There was the escrow</p> <p>9 administration check log database.</p> <p>10 Q. What was that?</p> <p>11 A. That is a database that the</p> <p>12 mailroom uses to log the checks.</p> <p>13 Q. Did you have full access to that?</p> <p>14 A. I'm not sure.</p> <p>15 Q. Did you have the ability to input</p> <p>16 any information into escrow administration</p> <p>17 check log database?</p> <p>18 A. As in could I log a check or as</p> <p>19 in was there anything that I ever did in the</p> <p>20 system logged?</p> <p>21 Q. Number one, did you ever log a</p> <p>22 check?</p> <p>23 A. We did not enter checks, no.</p> <p>24 Q. Because that wasn't the</p> <p>25 obligations of your department?</p> <p style="text-align: right;">77</p>	<p>1 Q. Before we took a break, as I</p> <p>2 understood it, when a check would come in</p> <p>3 after it was logged in the processing center,</p> <p>4 the name I've forgotten, it would immediately</p> <p>5 -- the actual original check would go into</p> <p>6 some vault onsite?</p> <p>7 A. Yes.</p> <p>8 Q. Within -- there's filing cabinets</p> <p>9 in that vault?</p> <p>10 A. Yes.</p> <p>11 Q. I think you told me you never went</p> <p>12 in it and you don't know the size of it, or</p> <p>13 anything like that?</p> <p>14 A. Correct.</p> <p>15 Q. Would the check remain in that</p> <p>16 vault while the Loss Draft Department was</p> <p>17 determining which of these three options to</p> <p>18 make a recommendation for that check?</p> <p>19 A. Yes.</p> <p>20 Q. What is the timeline that is</p> <p>21 imposed upon your department, if any, to make</p> <p>22 that decision?</p> <p>23 A. It would vary based on the</p> <p>24 situation. Standard time was 48 hours.</p> <p>25 Q. Is there a written guideline that</p> <p style="text-align: right;">79</p>
<p>1 A. Correct.</p> <p>2 Q. Second question is: Did you input</p> <p>3 any information; did you have that ability?</p> <p>4 A. Yes.</p> <p>5 Q. What type of information would be</p> <p>6 entered into that escrow administration check</p> <p>7 log database?</p> <p>8 A. The decisioning of the check,</p> <p>9 where we wanted the check to go.</p> <p>10 Q. And what are the options there?</p> <p>11 A. I don't remember all of them.</p> <p>12 Q. Give me the ones you remember.</p> <p>13 A. Deposit to escrow, endorse to</p> <p>14 borrower, sent to payoff.</p> <p>15 Q. Deposit to escrow, send to payoff?</p> <p>16 A. Endorse to borrower.</p> <p>17 Q. What was the third?</p> <p>18 MS. ROBINSON: That was three.</p> <p>19 Q. That was the only three. Okay.</p> <p>20 And was the only time that the</p> <p>21 check was sitting in this bank vault was while</p> <p>22 you were deciding which of these three to</p> <p>23 direct the check to?</p> <p>24 A. I don't understand your</p> <p>25 question.</p> <p style="text-align: right;">78</p>	<p>1 details the decision-making process and the</p> <p>2 time frame in which those decisions should be</p> <p>3 made?</p> <p>4 A. There are documented procedures</p> <p>5 for each process within the department, yes.</p> <p>6 Q. What's that called, that guideline</p> <p>7 section?</p> <p>8 A. There is not one guideline. You</p> <p>9 will have separate procedures -- at that</p> <p>10 time. As of today I don't know what they do,</p> <p>11 but at that time there was separate</p> <p>12 procedures for each situation: Payoffs,</p> <p>13 payoffs with LOA, payoffs without an LOA,</p> <p>14 endorse and release. There was various</p> <p>15 processes that you would do in each of those,</p> <p>16 had individual procedures, and within those</p> <p>17 procedures there were guidelines listed.</p> <p>18 Q. Is that a written document that</p> <p>19 you would consult?</p> <p>20 A. Yes.</p> <p>21 Q. Is that all part of a particular</p> <p>22 manual?</p> <p>23 A. No. At that time it was not.</p> <p>24 Q. So if I'm a Chase employee and I'm</p> <p>25 charged with -- I'm in the Loss Draft</p> <p style="text-align: right;">80</p>

20 (Pages 77 to 80)

LANIER JEFFREY - VOLUME I

<p>1 Department and I'm trying to make one of these 2 three decisions, do I consult a binder that 3 has this manual in it or what? 4 A. They were imaged on -- I believe 5 it was in like a shared folder area where you 6 could go in and view the procedures or you 7 could print them off and put them in a binder 8 for yourself if you wanted. 9 Q. What was the computer program or 10 software that I would access to be able to see 11 that? 12 A. It should just be Microsoft 13 Word. 14 Q. You don't know the name of those 15 particular sections? 16 A. I guess I'm not understanding. 17 It's not a particular section that relates to 18 just day one do this, day two do that. It's 19 actual procedure for how you should process 20 the check from start to -- so it's if this, 21 then this; if that, then this. So it's not 22 one particular section you would go to just 23 to see a standard service level time. 24 Q. Right. It's my mistake. Let me 25 tell you all I'm trying to get here is, is it</p> <p style="text-align: right;">81</p>	<p>1 it falls within this category, either it goes 2 into escrow, or endorse and return to 3 borrower? 4 A. The person that logs the checks 5 make the initial determination as to what 6 action needs to be taken on the draft. And 7 it's then assigned to the person who would 8 make the disposition. 9 Q. The person who logs the check, are 10 they a senior analyst? 11 A. I'm not sure. 12 Q. When you were a team leader at the 13 time whose responsibility was it to log in the 14 checks? 15 A. I don't remember. 16 Q. You don't remember the name or you 17 don't remember what was the title of the 18 person? 19 A. I don't remember their name. 20 Q. What was the title of the person 21 within the Loss Draft Department whose 22 responsibility it was to log in the check and 23 make this initial determination? 24 A. There wasn't a specific title; 25 you didn't have to be one of those four</p> <p style="text-align: right;">83</p>
<p>1 sounds to me that like what you do is pretty 2 complicated, but there's a lot of different 3 guidelines. And I don't want the Library of 4 Congress roomful of guidelines. If I'm trying 5 to look in the documents that have been given 6 to me, or to ask Ms. Robinson in the future, 7 hey, can I look at this? What would I say? 8 Hey, I'd like to look at what it is that Ms. 9 Jeffrey was talking about. What would I ask? 10 A. You would ask for the payoff 11 procedures. 12 Q. And generally speaking, you would 13 make these decisions within 48 hours? 14 A. The initial processing of the 15 check, the disposition of the check, 16 generally speaking. 17 Q. Are you saying you would make the 18 decision of which of the three categories this 19 check should be falling into within 48 hours 20 or the actual disposition within 48 hours? 21 A. Which one of the three 22 categories. 23 Q. Are there different folks within 24 the Loss Draft Department that you would 25 assign it to once you make the decision, okay,</p> <p style="text-align: right;">82</p>	<p>1 things to be a check logger. It was just a 2 function that was assigned to you. 3 Q. When you were the team leader then 4 would you perform that function as the -- 5 A. If the person that was assigned 6 to that function on a regular basis wasn't 7 there and I needed to fill in for their job 8 function. You were assigned a function, so 9 if that function was assigned to you and you 10 were out, then whoever was assigned as your 11 backup would do the function on your behalf 12 while you weren't there. 13 Q. When you reviewed this file 14 yesterday were you able to determine who the 15 person was that logged this check in? 16 A. No. 17 Q. Which of these systems would that 18 be reflected on, the MSP, the MDA, the DTE, 19 the CCW? 20 A. The MDA. 21 Q. MDA. Before I jump off this 22 topic, what other systems would you access in 23 the ordinary course of your business in the 24 Loss Draft Department? 25 A. At this moment I can't think of</p> <p style="text-align: right;">84</p>

21 (Pages 81 to 84)

LANIER JEFFREY - VOLUME I

<p>1 any others.</p> <p>2 Q. What is LPS?</p> <p>3 A. That is a default system.</p> <p>4 Q. What does that mean?</p> <p>5 A. It's a different line of</p> <p>6 business. It's not related to loss drafts.</p> <p>7 That's a system that the default side of our</p> <p>8 business handles, uses.</p> <p>9 Q. So when you were operating within</p> <p>10 the Loss Draft Department for checks,</p> <p>11 irrespective of what your position was, senior</p> <p>12 analyst, team leader, you never accessed the</p> <p>13 LPS?</p> <p>14 A. Correct.</p> <p>15 Q. And when you say it was the</p> <p>16 default system, can you tell me what that</p> <p>17 means?</p> <p>18 A. It was a system utilized by</p> <p>19 people that worked in the default piece part</p> <p>20 area of Chase.</p> <p>21 Q. When you say default you mean like</p> <p>22 a borrower's defaulted on a loan?</p> <p>23 A. Correct, you're past due.</p> <p>24 Q. You're an operations analyst</p> <p>25 today?</p> <p style="text-align: right;">85</p>	<p>1 dates into the system?</p> <p>2 A. You're asking what is my job</p> <p>3 functionality today?</p> <p>4 Q. Yes, ma'am.</p> <p>5 A. I actually execute foreclosure</p> <p>6 documents and submit them to the firms to</p> <p>7 file with the courts to proceed with</p> <p>8 foreclosure proceedings.</p> <p>9 Q. What type of documents are you</p> <p>10 executing?</p> <p>11 A. Affidavits, assignments,</p> <p>12 statement of reviews concerning complaints.</p> <p>13 Q. Where is your office located?</p> <p>14 A. Gahanna, Ohio.</p> <p>15 Q. And that's different than the Loss</p> <p>16 Draft Department?</p> <p>17 A. Correct.</p> <p>18 Q. And is that the same office</p> <p>19 building as the Assurant employees are</p> <p>20 located?</p> <p>21 A. No.</p> <p>22 Q. I'm mistaken. Where are the</p> <p>23 Assurant employees?</p> <p>24 A. Assurant is in the -- you asking</p> <p>25 about the hazard insurance processing related</p> <p style="text-align: right;">87</p>
<p>1 A. Correct.</p> <p>2 Q. Is that a demotion?</p> <p>3 A. No. Lateral.</p> <p>4 Q. Lateral. So you moved out of the</p> <p>5 Loss Draft Department?</p> <p>6 A. Correct.</p> <p>7 Q. So you're an operations analyst</p> <p>8 for what department now?</p> <p>9 A. Document execution.</p> <p>10 Q. What is that?</p> <p>11 A. It's a default foreclosure area.</p> <p>12 Q. So today you access the LPS</p> <p>13 system?</p> <p>14 A. Correct.</p> <p>15 Q. What type of information do you</p> <p>16 input into the LPS system today?</p> <p>17 A. Dates of when the documents are</p> <p>18 executed.</p> <p>19 Q. What documents?</p> <p>20 A. Foreclose documents.</p> <p>21 Q. Are you the one who shepherds a</p> <p>22 particular loan through the foreclosure</p> <p>23 process?</p> <p>24 A. No.</p> <p>25 Q. Tell me what you do. You enter</p> <p style="text-align: right;">86</p>	<p>1 to Chase?</p> <p>2 Q. I'm asking about the Assurant --</p> <p>3 the folks who are employed by Assurant. Is</p> <p>4 the department in which the Assurant employees</p> <p>5 function, is that called the hazard -- the</p> <p>6 HIPC?</p> <p>7 A. Yes. So the office for the</p> <p>8 Chase-related HIPC is Duluth, Georgia and</p> <p>9 Florence, South Carolina.</p> <p>10 Q. The Chase-related HIPC is the ones</p> <p>11 that are in Duluth, Georgia, Florence, South</p> <p>12 Carolina?</p> <p>13 A. Yes.</p> <p>14 Q. But those are actually Assurant</p> <p>15 employees?</p> <p>16 A. Yes.</p> <p>17 Q. Paid by Assurant?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know why that is?</p> <p>20 A. No.</p> <p>21 Q. Why there's Assurant employees in</p> <p>22 a department that's a Chase department?</p> <p>23 A. I don't understand the question.</p> <p>24 Do I know why Chase uses third-party vendors?</p> <p>25 No.</p> <p style="text-align: right;">88</p>

22 (Pages 85 to 88)

LANIER JEFFREY - VOLUME I

<p>1 Q. Yeah. Yeah.</p> <p>2 A. No.</p> <p>3 Q. In your experience when you worked</p> <p>4 in the Loss Draft Department, did you -- you</p> <p>5 communicated on a daily or at least regular</p> <p>6 basis with Chase's HIPC?</p> <p>7 A. Yes.</p> <p>8 Q. And those were Assurant employees?</p> <p>9 A. Yes.</p> <p>10 Q. How would you communicate with</p> <p>11 them?</p> <p>12 A. Telephone, e-mail, or the CCW</p> <p>13 routes.</p> <p>14 Q. And did -- and they regularly made</p> <p>15 notations within the CCW files, correct, the</p> <p>16 CCW system?</p> <p>17 A. In certain -- at certain points.</p> <p>18 Not always, not the entire time that I worked</p> <p>19 in that department they didn't have access to</p> <p>20 that, but at a point before I left they did,</p> <p>21 yes.</p> <p>22 Q. Do you know why it came about that</p> <p>23 at one point in time they restricted and then</p> <p>24 ultimately had more access to the CCW?</p> <p>25 A. I do not.</p> <p style="text-align: right;">89</p>	<p>1 MS. ROBINSON: I'm going to object</p> <p>2 to the form as being overly broad. You can</p> <p>3 answer.</p> <p>4 A. I don't understand the question.</p> <p>5 Q. Well, I've never had access to CCW</p> <p>6 so I'm not -- I'm trying to find out from you</p> <p>7 today why things would be put into that</p> <p>8 particular file and why you would access that</p> <p>9 file. And your recollection is you just don't</p> <p>10 really have any recollection about accessing</p> <p>11 that at all, right?</p> <p>12 A. You're asking the reason that I</p> <p>13 access CCW?</p> <p>14 Q. Yeah.</p> <p>15 A. It was to move the funds from</p> <p>16 one bucket to another at the time of payoff.</p> <p>17 Q. But did you have to review the</p> <p>18 entries into the CCW system in order to</p> <p>19 familiarize yourself as to what had transpired</p> <p>20 in the case before you made that decision?</p> <p>21 A. No.</p> <p>22 Q. What did you look at?</p> <p>23 A. The MDA tracker and the physical</p> <p>24 claim file.</p> <p>25 Q. Is there a thing called a DRI or</p> <p style="text-align: right;">91</p>
<p>1 Q. In fact, in your reviewing the</p> <p>2 file either in preparation for this case or</p> <p>3 just in an ordinary working on this Barnett</p> <p>4 file, you did see that there are several notes</p> <p>5 in the file from the HIPC department, correct?</p> <p>6 A. No.</p> <p>7 Q. You didn't see that?</p> <p>8 A. There are not any -- I didn't</p> <p>9 see any CCW routes, comments, in that file.</p> <p>10 Q. Do you remember using, or</p> <p>11 utilizing, or accessing CCW when you worked on</p> <p>12 this file?</p> <p>13 A. Yes.</p> <p>14 Q. You do remember that?</p> <p>15 A. Yes.</p> <p>16 Q. You don't remember seeing any</p> <p>17 communications in the CCW file from the HIPC?</p> <p>18 A. Correct.</p> <p>19 Q. And when you reviewed the file,</p> <p>20 whatever you reviewed in preparation for this</p> <p>21 deposition, you didn't see any notations from</p> <p>22 the HIPC?</p> <p>23 A. Correct.</p> <p>24 Q. Do you remember anything that was</p> <p>25 noteworthy from the CCW entries?</p> <p style="text-align: right;">90</p>	<p>1 DRI note?</p> <p>2 A. I don't know what that is.</p> <p>3 (Whereupon, a discussion was held off</p> <p>4 the record and a break was taken at</p> <p>5 11:49 a.m. EST)</p> <p>6 Q. Ms. Lanier, when you transferred</p> <p>7 over to operations analyst today, and I think</p> <p>8 you called it for default, is there another</p> <p>9 name for that department that you're working</p> <p>10 in now?</p> <p>11 A. Foreclosure.</p> <p>12 Q. What systems do you access today</p> <p>13 that are different than the ones we've gone</p> <p>14 through this morning?</p> <p>15 A. LPS.</p> <p>16 Q. LPS.</p> <p>17 A. LISA, L-I-S-A, DOCLINE, iVaults.</p> <p>18 Q. I-V-A-U-L-T?</p> <p>19 A. Yes.</p> <p>20 MR. GRIMSLEY: I'm sorry. Would</p> <p>21 you repeat? Was it DOCLINE?</p> <p>22 THE WITNESS: DOCLINE,</p> <p>23 D-O-C-L-I-N-E.</p> <p>24 Q. Anything else?</p> <p>25 A. We have a lot. Hyundai, like</p> <p style="text-align: right;">92</p>

23 (Pages 89 to 92)

LANIER JEFFREY - VOLUME I

<p>1 the car. And there are also some databases 2 that we use, but I can't remember, explicitly 3 remember the names of them all because we 4 just have them saved as favorites because 5 there's so many of them, but there's some to 6 access our procedures, procedural memos, to 7 pull up -- to request information on power of 8 attorneys. Like there's quite a few 9 databases that we use within the default 10 world to communicate to one another or ask 11 questions of one another. 12 Q. Who trained you on the LPS system? 13 A. The trainer, you want her actual 14 name? I only remember her first name. 15 Q. That's okay. 16 A. Vera. 17 Q. Vera. And what do you use the LPS 18 system for? 19 A. That's where we document when 20 the documents -- the foreclosure documents 21 are executed, that's where we retrieve images 22 of the foreclosure documents, and also the 23 system that we use to communicate with the 24 firms, the attorney -- the law firms that we 25 use for foreclosures.</p>	<p>1 whatsoever? 2 A. No. 3 Q. What about LPS employees? 4 A. We do not communicate with them 5 either. 6 Q. Where are they located? 7 A. I'm not sure. 8 Q. There's some folks that have been 9 identified in this case as consultants. Do 10 you know -- I'm jumping back now when you were 11 in the Loss Draft Department what folks served 12 as consultants? 13 A. The HIPC analysts, the people 14 that worked for Assurant, they're listed as 15 consultants for Chase. 16 Q. Your lawyer handed me a document 17 today, I guess a couple of documents. 18 MR. McDONALD: Is this one 19 document, Ms. Robinson? 20 MS. ROBINSON: I've said this not 21 on the record. Let me repeat it to make sure 22 we're all clear. She had reviewed, you know, 23 like a little stack of documents and 24 everything that she looked at you've already 25 got except this. These were the things that</p>
<p>1 Q. How recently were you trained on 2 the LPS system? 3 A. When I originally moved over 4 March 2011. 5 Q. So within the past year, year and 6 a half? 7 A. Yes. 8 Q. How much training did you have on 9 it? 10 A. It was incorporated within a 11 two-week overall foreclosure training class. 12 Q. There's also -- there's actually 13 manuals that give you some directives of what 14 not to put on the LPS system and what to put 15 on it, right? 16 A. I did not receive one of those. 17 Q. You've never seen one? 18 A. No. We don't have a physical 19 LPS manual. There may be one, but I don't 20 have one. 21 Q. How do you communicate with the 22 Assurant employees now on your job? 23 A. We don't utilize Assurant in my 24 position today. 25 Q. No communication with them</p>	<p>1 she had reviewed that you had not already seen 2 in the prior production, and the last three 3 pages are just better color copies of 4 photographs the company -- the BPO, because we 5 had a really poor set of them the first time 6 around. And I just re-numbered those like the 7 supplemental production starting with Chase 8 number 2452, and then the last three pages of 9 that 2461, 62, and 63 are just better copies 10 of something you already had. 11 Q. (BY MR. McDONALD) Ms. Jeffrey, I'm 12 going to hand this entire stack to you and 13 then have you separate out the different 14 documents and then we'll just take them one at 15 a time. Okay? 16 A. If a document was attached to an 17 e-mail, do you want it attached with the 18 e-mail and stapled together? 19 Q. Yes. 20 MS. ROBINSON: And like this is a 21 good example. She's stapling together 2457, 22 58, and 59, and she says attached BPO and Form 23 176. So the BPO you already had, so there's 24 not another copy of it in here, but Form 176 25 you didn't have it before, so it's attached.</p>

LANIER JEFFREY - VOLUME I

1 See what I mean?
 2 MR. McDONALD: Yes.
 3 MS. ROBINSON: And as I said,
 4 these photographs were attached to the BPO. I
 5 didn't give you another copy of it because you
 6 already have it.
 7 THE WITNESS: Do you want me to
 8 staple these two together or just leave it?
 9 MR. McDONALD: Those three can be
 10 stapled, yes, please.
 11 Q. (BY MR. McDONALD) Okay. I'll mark
 12 each of these as separate exhibits, but the
 13 documents, the Bates numbers that Ms.
 14 Robinson already reviewed the record, where
 15 did you find these, Ms. Jeffrey?
 16 A. These were what was provided to
 17 me by the loss draft current manager when I
 18 asked for a copy of the payoff file.
 19 Q. What's the name of the loss draft
 20 current manager?
 21 A. [REDACTED]
 22 Q. Do you know how to spell her last
 23 name?
 24 A. [REDACTED]
 25 Q. Do you know what file name these

97

1 what was in the file?
 2 MS. ROBINSON: Right. These are
 3 copies from the file she reviewed of documents
 4 y'all did not already have.
 5 MR. KILBORN: Right.
 6 Q. (BY MR. McDONALD) Ms. Jeffrey, I'm
 7 marking as Exhibit 1, it looks like it's an
 8 e-mail from you dated January 26, 2011. You
 9 reviewed that document --
 10 A. Yes.
 11 Q. -- in preparation for the
 12 deposition and that's one of the documents
 13 that Ms. Guyton gave you?
 14 (Whereupon, Plaintiff's Exhibit Number 1
 15 was marked for identification.)
 16 A. Yes.
 17 Q. When did she give you that
 18 document?
 19 A. Last week. I don't know the
 20 exact date. I don't remember the exact date
 21 the e-mail came through, but it was last
 22 week.
 23 Q. She sent it to you, these
 24 documents to you, via e-mail?
 25 A. Correct.

99

1 documents came from?
 2 A. I don't.
 3 Q. Did you see any other documents
 4 besides these? Did you actually see that
 5 file?
 6 A. She scan -- I asked for a copy
 7 of the attachments from the MDA database and
 8 a copy of the notes from the MDA database. I
 9 also reviewed a copy of the payoff file that
 10 was imaged to our imaging system at the
 11 completion of the payoff.
 12 MS. ROBINSON: And maybe I'm
 13 causing the confusion. She's reviewed more
 14 than that, but all the other stuff she
 15 reviewed you already have. I think it was --
 16 I mean, it wasn't a whole big stack, but it
 17 was a little stack and all of it had been
 18 previously produced except for this.
 19 MR. KILBORN: Do you have it where
 20 you can give it to us?
 21 MS. ROBINSON: I've got somebody
 22 trying to give me the Bates numbers. I've got
 23 somebody working on that this morning. Let me
 24 see if they've done it yet.
 25 MR. KILBORN: These are copies of

98

1 Q. And what was it -- you asked for
 2 these very specific documents?
 3 A. I asked for a copy of everything
 4 that was attached to the MDA database and a
 5 copy of the notes from the MDA database.
 6 Q. What was your purpose in asking
 7 for those?
 8 A. To prepare to answer your
 9 questions.
 10 Q. And did you have any other
 11 conversations with anybody else within Chase
 12 about documents that you needed to prepare for
 13 the deposition?
 14 A. No.
 15 Q. What did you and [REDACTED] talk
 16 about other than you asking for those
 17 documents and her sending them to you?
 18 A. We didn't talk.
 19 Q. If you would, please, read that to
 20 me and then tell me what it is that document
 21 is all about.
 22 A. From Lanier Jeffrey sent
 23 Wednesday, January 26, 2011, 11:25 a.m. to
 24 DCD Research copying [REDACTED] Subject:
 25 Loan Number [REDACTED] #276-payoff request.

100

25 (Pages 97 to 100)

LANIER JEFFREY - VOLUME I

<p>1 Attachments: LOA, underscore, 20101109, 2 underscore, 141700.pdf. Importance: High. 3 "Hello, [REDACTED]. I have opened the 4 route to move the funds in R/E to suspense 5 for the payoff of this loan. Please pay off 6 the loan effective 9/7/2010 and charge the 7 shortage of \$2,672.67, with brackets, 2672.67 8 plus \$180 foreclosure attorney fee to our 9 cost center using the information below. 10 Please advise once the loan is paid in full. 11 Cost center 59231, payee 54112, reason code, 12 TX72. Thank you, Mr. Lanier Jeffrey, team 13 lead, Loss Drafts Department." 14 Q. Could I have that back? Tell me, 15 Ms. Jeffrey, who is [REDACTED] is again. We talked 16 about her earlier. 17 A. One of the analysts in the 18 default payoff department. 19 Q. And what is the system that you're 20 using right now to communicate with her in 21 Plaintiff's Exhibit 1? 22 A. E-mail. I can't recall if at 23 that time it was Lotus Notes or Microsoft, 24 but it was an e-mail system. 25 Q. So would the only person who would</p> <p style="text-align: right;">101</p>	<p>1 Q. Default Payoff Department. But 2 the Default Payoff Department, they don't make 3 the decision as to whether something gets paid 4 off or not. The Loss Draft Department does, 5 right? 6 A. When you say make the decision, 7 they -- I don't understand. They apply the 8 money. They apply the funds and post the 9 payoff to the loan. 10 Q. Yes, ma'am. At whose direction? 11 A. Loss drafts. 12 Q. Ultimately this was your decision 13 to have this paid off? 14 A. Yes. 15 Q. What is the "I have opened the 16 route to move the funds in R/E to suspense for 17 payoff of this loan," what does R/E mean? 18 A. The restricted escrow account 19 that holds loss draft funds. 20 Q. And this restriction escrow 21 account, is it just one account where all 22 payoff funds are placed? 23 A. Restricted escrow is, for lack 24 of a better term, a bucket that's placed 25 within the borrower's records. That is a</p> <p style="text-align: right;">103</p>
<p>1 have visibility to this particular e-mail is 2 you and Ms. [REDACTED]? 3 A. And the inbox that received the 4 e-mail, DCD Research, if they archive it. 5 Q. Who is DCD Research? 6 A. I don't know. That's the e-mail 7 address that we utilized to submit default 8 payoff requests, a general inbox. I'm not 9 sure who mans it. 10 Q. Do you remember in reviewing this 11 file how many other e-mails that you'd sent to 12 Ms. Atia or anybody else involved in this 13 particular file? 14 A. No. 15 Q. What is the purpose in sending her 16 an e-mail as opposed to making a posting on 17 one of these other systems that we spent the 18 morning talking about? 19 A. That was the method that we 20 submitted the request to the area per what 21 they advised us. That's how they wanted the 22 request to be submitted and so that's what we 23 did. 24 Q. Who was they? 25 A. Default Payoff Department.</p> <p style="text-align: right;">102</p>	<p>1 particular account that houses all hazard 2 claim proceeds regardless if it's a rebuild, 3 payoff, whatever, that is the area that the 4 funds are deposited into, a restricted 5 special escrow account. 6 Q. And that is borrower specific? 7 A. The name of the bucket is the 8 same for everybody. It's called the same 9 thing. 10 Q. My question is: Does Chase have 11 one restricted escrow account where all such 12 checks are deposited and then later disbursed 13 per borrower or is there a separate account 14 for each borrower? 15 A. There are, I believe, two 16 accounts: One for home equity borrowers and 17 one for regular mortgage loans, but there 18 would be one bucket for all funds received 19 for all borrowers. 20 Q. And who has that account, Chase 21 Bank, or is that deposit at a different bank? 22 A. I'm not sure. 23 Q. You make the decision as to 24 whether payment is to be disbursed from the 25 restricted escrow account but you're not sure</p> <p style="text-align: right;">104</p>

26 (Pages 101 to 104)

LANIER JEFFREY - VOLUME I

<p>1 who is actually the holder of that restricted 2 account? 3 A. Correct. 4 Q. How, for example, do you know 5 whether there's interest earned on it or not? 6 A. There are guidelines regarding 7 the interest on escrow that's a separate -- 8 Q. Department? 9 A. There is -- there is a procedure 10 available to tell you what accounts earn 11 interest on escrow but I'm not familiar 12 exactly with what those specifications are. 13 Q. Do you know if I had questions 14 about that what department I would talk to? 15 A. I would begin with Michelle 16 Guyton and she could probably direct you the 17 best way. 18 Q. When you say I have opened the 19 route to move the funds in restricted escrow 20 to suspense for the payoff of this loan, can 21 you tell a southern boy what that means? 22 A. I opened a CCW route, which is 23 just what I was telling you earlier, a 24 request to other areas to move money. Loss 25 drafts doesn't have the ability to move funds</p> <p style="text-align: right;">105</p>	<p>1 A. Yes. Loss drafts is under the 2 escrow administration umbrella. 3 Q. What other departments are under 4 the Escrow Administration Department? 5 A. As of today I do not know. 6 Q. At the time? 7 A. Taxes, general hazard insurance, 8 and PMI. That's all that I can recall at 9 this moment. 10 Q. PMI stands for? 11 A. Private Mortgage Insurance. 12 Q. Who made the decision to charge 13 this cost to the cost center? 14 A. I did. 15 Q. Why? 16 A. To pay off the loan. 17 Q. Was there a determination that you 18 had made that there was an error in the Loss 19 Draft Department or what? 20 A. I determined that in the best 21 interest of the loan we needed to pay off the 22 loan, so we would assume the difference in 23 the cost between paying off the loan and 24 available insurance proceeds. 25 Q. Why based on your investigation</p> <p style="text-align: right;">107</p>
<p>1 around within the loan as far as on the 2 servicing system, so another area has to move 3 it from one specific location to another 4 specific location of the loan. Areas outside 5 of loss drafts don't have access to the 6 restricted escrow accounts, so they're not 7 able to pull the money from that account and 8 apply it to the loan, thus loss drafts has to 9 move the funds from our special bucket and 10 place it into a general suspense account so 11 that the department can take it and apply it 12 to the loan as needed. 13 Q. You say charge the shortage of 14 \$2,672.67, which is -- includes foreclosure 15 attorney fees to our cost center. What is the 16 cost center? 17 A. It is the overall area that you 18 work in, the department that you work in. 19 Q. So in this particular instance you 20 were instructing her to charge cost to the 21 Loss Draft Department? 22 A. To escrow administration, our 23 overall department. 24 Q. Escrow administration is above the 25 Loss Draft Department?</p> <p style="text-align: right;">106</p>	<p>1 was there a discrepancy between necessary to 2 pay off the loan and the insurance proceeds? 3 A. Was there or why was there? 4 Q. Why? I thought I heard you say 5 that there was. Maybe I'm mistaken. 6 A. The amount that we received for 7 the -- from the insurance company was not 8 enough based off of the default quote that we 9 received. I don't know why it wasn't enough. 10 It just wasn't. 11 Q. Sitting here today you don't know 12 why there were insufficient funds from State 13 Farm to pay off this loan; is that correct? 14 A. No, I don't know. 15 Q. You don't know today why there was 16 insufficient funds? 17 A. No, I don't. 18 Q. Who charged the \$180 foreclosure 19 attorney fees? 20 A. I don't know. 21 Q. Did you talk to -- did you 22 interact with lawyers while you were in the 23 Loss Draft Department regarding foreclosure of 24 this particular account? 25 A. No.</p> <p style="text-align: right;">108</p>

LANIER JEFFREY - VOLUME I

<p>1 Q. That would have come through the</p> <p>2 default department or the foreclosure</p> <p>3 department?</p> <p>4 A. I could presume. I'm not sure.</p> <p>5 We didn't have any interaction with</p> <p>6 foreclosure whatsoever.</p> <p>7 Q. Normally if there's attorneys</p> <p>8 retained they deal with the Foreclosure</p> <p>9 Department?</p> <p>10 A. I'm not sure. I'm assuming so.</p> <p>11 I'm not sure.</p> <p>12 Q. This is your e-mail, right?</p> <p>13 A. Yes.</p> <p>14 Q. How did you obtain the information</p> <p>15 that \$18 had been incurred by the foreclosure</p> <p>16 attorney's fees?</p> <p>17 A. I don't remember.</p> <p>18 Q. How were you able to ascertain</p> <p>19 that those services had actually been</p> <p>20 rendered?</p> <p>21 A. I don't remember.</p> <p>22 Q. Do you have authority to make</p> <p>23 disbursements to attorneys that are</p> <p>24 undocumented?</p> <p>25 A. I don't understand the question.</p> <p style="text-align: right;">109</p>	<p>1 state.</p> <p>2 Q. Is there one general counsel law</p> <p>3 firm that you deal with who then in turn</p> <p>4 parcels it out to different states? Do you</p> <p>5 have a lawyer who's a liaison?</p> <p>6 A. No.</p> <p>7 Q. But sitting here today you don't</p> <p>8 remember receiving any itemization of services</p> <p>9 rendered to justify or support the \$180</p> <p>10 foreclosure attorney's fees?</p> <p>11 A. I do not.</p> <p>12 Q. Was there an obligation for them</p> <p>13 to have provided you that type of --</p> <p>14 MS. ROBINSON: I'm going to object</p> <p>15 to form. This is money that Chase paid out.</p> <p>16 I mean, it wasn't out of a hazard insurance.</p> <p>17 I'm just going to object to the form.</p> <p>18 A. Repeat the question, please.</p> <p>19 Q. Yeah. I'm just trying to get an</p> <p>20 idea for restrictions on you. Because I'm</p> <p>21 assuming you're working for a company that has</p> <p>22 different guidelines that you have to follow</p> <p>23 procedures and policies, that sort of thing.</p> <p>24 So what I'm trying to understand is, you have</p> <p>25 made a decision in this document that I didn't</p> <p style="text-align: right;">111</p>
<p>1 Q. Yeah. Sitting here today you</p> <p>2 don't remember how you got a bill or how you</p> <p>3 reached the conclusion that there were \$180 in</p> <p>4 foreclosure attorney fees, right?</p> <p>5 A. Correct.</p> <p>6 Q. So what I'm trying to establish or</p> <p>7 figure out is, okay, you're not remembering it</p> <p>8 today, but at some time you must have received</p> <p>9 something, correct, that gave you an</p> <p>10 indication that there had been attorney fees</p> <p>11 incurred?</p> <p>12 A. Generally there would be some</p> <p>13 indication on the system that X amount of</p> <p>14 dollars is charged for this fee or that fee</p> <p>15 on a given loan.</p> <p>16 Q. What system would that show up on?</p> <p>17 A. MSP.</p> <p>18 Q. You don't remember who the lawyer</p> <p>19 was?</p> <p>20 A. Oh, I would have no idea.</p> <p>21 Q. Now that you're in the department</p> <p>22 is there a particular law firm that you</p> <p>23 normally deal with or is it different for</p> <p>24 every borrower, state, what?</p> <p>25 A. It's state and region within the</p> <p style="text-align: right;">110</p>	<p>1 see before today. Okay.</p> <p>2 A. Okay.</p> <p>3 Q. So how it was that you were able</p> <p>4 to reach the conclusion that \$180 in for</p> <p>5 foreclosure attorney's fees were warranted?</p> <p>6 A. There would have been an</p> <p>7 indication on the servicing system MSP that</p> <p>8 \$180 was charged to the loan for FCL, ATTY</p> <p>9 fee, which means foreclosure attorney fees.</p> <p>10 We don't know who. We don't know why. We</p> <p>11 just know it's there. Our job is to ensure</p> <p>12 that it's paid to close the loan.</p> <p>13 Q. And when something is entered into</p> <p>14 the MSP system isn't the author identified?</p> <p>15 A. No. You're talking about a note</p> <p>16 or a field updated because there's a</p> <p>17 difference.</p> <p>18 Q. Well, let's start with field. Are</p> <p>19 you saying that this -- this \$180 foreclosure</p> <p>20 attorney fee would have appeared in a field?</p> <p>21 A. Correct.</p> <p>22 Q. So it's just a number naked</p> <p>23 sitting out there?</p> <p>24 A. Correct.</p> <p>25 Q. And there's no way to trace that</p> <p style="text-align: right;">112</p>

LANIER JEFFREY - VOLUME I

<p>1 back to a particular author?</p> <p>2 A. Not that I'm aware of. There</p> <p>3 may be, but I've never been trained to do</p> <p>4 that.</p> <p>5 Q. So as best you recall sitting here</p> <p>6 today what you did when you made this</p> <p>7 determination at least as it relates to the</p> <p>8 attorney's fees, was you assumed that because</p> <p>9 it was on the MSP system that some other Chase</p> <p>10 employee-whose responsibility was to input it,</p> <p>11 they did their job?</p> <p>12 A. Correct.</p> <p>13 Q. And that's what you have to do</p> <p>14 when you're processing these types of claims</p> <p>15 and you're accessing the different programs</p> <p>16 and databases that we've talked about today</p> <p>17 is, you've got to rely on the assumption that</p> <p>18 the other Chase employees are giving you</p> <p>19 correct information?</p> <p>20 A. Correct.</p> <p>21 Q. You didn't have any obligation in</p> <p>22 performing your duties as team leader in the</p> <p>23 Loss Draft Department in making this</p> <p>24 determination to go back behind and verify</p> <p>25 that this \$180 in foreclosure attorney fees</p> <p style="text-align: right;">113</p>	<p>1 confident is, is that you didn't because you</p> <p>2 didn't have any obligation to go back behind</p> <p>3 that number and try to determine how that</p> <p>4 number was arrived at?</p> <p>5 A. Correct.</p> <p>6 Q. See where I'm going? I'm trying</p> <p>7 to figure out it's Chase's money, right?</p> <p>8 A. The amount that was charged to</p> <p>9 the cost center?</p> <p>10 Q. Yes.</p> <p>11 A. Correct.</p> <p>12 Q. So Chase -- in the grand scheme of</p> <p>13 things Chase is charging itself?</p> <p>14 A. Yes.</p> <p>15 Q. What is the purpose in your making</p> <p>16 the decision as team leader in the Loss Draft</p> <p>17 Department to write this memo directing them</p> <p>18 how to assess these costs?</p> <p>19 A. To pay off the loan and close</p> <p>20 the loan.</p> <p>21 Q. Is there no other methodology</p> <p>22 that's available to you as the team leader to</p> <p>23 just direct them the loan has been paid off,</p> <p>24 pay off the loan?</p> <p>25 A. No.</p> <p style="text-align: right;">115</p>
<p>1 charge was valid?</p> <p>2 A. With no affiliation to the</p> <p>3 default department or formal training to make</p> <p>4 an assessment like that, no, we are not</p> <p>5 required to make an assumption on behalf of</p> <p>6 another department.</p> <p>7 Q. I'm going to ask the similar</p> <p>8 questions for the other 2,492.67. Where did</p> <p>9 you get that number from?</p> <p>10 A. I don't remember.</p> <p>11 Q. Would it have been on the same MSP</p> <p>12 system?</p> <p>13 A. It may have been a screen quote.</p> <p>14 Kind of what we called them when you try to</p> <p>15 go to one screen that gives you a general</p> <p>16 quote doesn't include everything within a</p> <p>17 payoff but a general overview, or it could</p> <p>18 have been an e-mail sent to us from default</p> <p>19 saying it's this amount.</p> <p>20 Q. Even in your preparation for the</p> <p>21 deposition today, the files that you reviewed,</p> <p>22 all that type of stuff, you don't recall what</p> <p>23 was the basis for that number?</p> <p>24 A. I do not.</p> <p>25 Q. And when you did it what we're</p> <p style="text-align: right;">114</p>	<p>1 Q. Do you know why that is?</p> <p>2 A. Well, you cannot pay off a loan</p> <p>3 without cancelling the financial obligation</p> <p>4 and that's applying money to the loan.</p> <p>5 Q. Well, we'll get into the documents</p> <p>6 probably after lunch, but do you remember</p> <p>7 looking at the initial quote to the -- to the</p> <p>8 borrower as to what the loan payoff amount</p> <p>9 was?</p> <p>10 A. I don't remember ever receiving</p> <p>11 that.</p> <p>12 Q. You don't remember at any time</p> <p>13 actually reviewing the initial loan payoff</p> <p>14 quote?</p> <p>15 A. I do not.</p> <p>16 Q. You don't remember during the</p> <p>17 course of your entire involvement as team</p> <p>18 leader in the Loss Draft Department making a</p> <p>19 side-by-side comparison to here's the loan</p> <p>20 payoff quote and here's the actual check that</p> <p>21 came in?</p> <p>22 A. On this case, no.</p> <p>23 Q. But that wouldn't have even been</p> <p>24 your responsibility as team leader to do that?</p> <p>25 A. No.</p> <p style="text-align: right;">116</p>

LANIER JEFFREY - VOLUME I

<p>1 Q. Would that have been your 2 responsibility as team leader of the Loss 3 Draft Department to make sure that that task 4 was done?</p> <p>5 A. No.</p> <p>6 Q. Would it have been the 7 responsibility of anybody within the Chase 8 organization to compare the initial payoff 9 quote given to the borrower and the check that 10 ultimately was received by Chase?</p> <p>11 A. I can't speak on anyone else's 12 responsibilities.</p> <p>13 Q. But you know it wouldn't have been 14 within the obligations of the Loss Draft 15 Department?</p> <p>16 A. Correct.</p> <p>17 Q. What is the cost center code, the 18 59231?</p> <p>19 A. That is the actual numerical 20 code assigned to escrow administration.</p> <p>21 Q. It's like talking to somebody from 22 NASA. I'm just having a tough time. How do 23 you remember all of this? Do you have a code 24 book where you can remember or is it just 25 because you use it all the time that you</p> <p style="text-align: right;">117</p>	<p>1 it was already assigned to each department, 2 so we just had to ask the right person to 3 find out what our applicable codes were, but 4 I don't know what they mean.</p> <p>5 Q. So before you wrote this 6 Plaintiff's Exhibit 1, you talked to somebody 7 to get that payee code?</p> <p>8 A. Correct.</p> <p>9 Q. Do you remember what their 10 department is, what their name would have 11 been?</p> <p>12 A. I don't remember.</p> <p>13 Q. And the reason code, now to me -- 14 well, you tell me. Isn't that like the most 15 important on this piece of paper?</p> <p>16 A. I don't know. It's standard.</p> <p>17 Q. Oh, it's standard?</p> <p>18 A. It's a standard code that we 19 were provided when we needed to charge 20 anything to the cost center so I don't know 21 what it's indicative of.</p> <p>22 Q. How often when you were team 23 leader would you write e-mails similar to 24 Plaintiff's Exhibit 1?</p> <p>25 A. Similar as in payoff requests?</p> <p style="text-align: right;">119</p>
<p>1 remember this place is this code, whatever?</p> <p>2 A. Those -- that's a specific payee 3 reason, the cost center is affiliated with 4 our department. You would use that anytime 5 you order anything from a Post-it note to a 6 pen. Whatever is charged to your department, 7 that's the cost center. So that's something 8 that yes, you would fluidly use.</p> <p>9 The payee and reason codes, 10 those were probably ascertained from my 11 manager at one point in time. There's 12 another area that has to give you the code. 13 You don't just know per se the payee code, so 14 we would have previously asked someone to 15 give us the code.</p> <p>16 Q. Payee code, I understand you asked 17 somebody, but what does that mean?</p> <p>18 A. I don't know. It's the 19 requirement of that area in order to apply 20 the money in a certain way, so that's one of 21 the reasons why we had to ask someone else. 22 We don't utilize that, so I don't know what 23 it pertains to or how it's applicable in 24 applying money to a loan, but that's 25 information that they needed and apparently</p> <p style="text-align: right;">118</p>	<p>1 Q. Yes.</p> <p>2 A. As a team lead, not very often.</p> <p>3 Q. What about as a senior analyst?</p> <p>4 A. Daily.</p> <p>5 Q. Daily?</p> <p>6 A. That's a responsibility of the 7 payoff analyst.</p> <p>8 Q. Okay. And when I say -- let me 9 make sure I don't confuse myself first before 10 I worry about confusing you.</p> <p>11 But as I read this e-mail it's the 12 product of there is a dispute between the 13 borrower as to what is the true payoff amount 14 and Chase's records as to what's the true 15 payoff amount. Is that an accurate 16 description of Plaintiff's Exhibit 1?</p> <p>17 A. That's not indicative of a 18 dispute. It's indicative of a discrepancy 19 between the dollar amount but not a dispute.</p> <p>20 Q. Okay. And when you were the 21 senior analyst on a daily basis you would 22 write e-mails similar to Plaintiff's 23 Exhibit 1, which was a manifestation of a 24 discrepancy between what the borrower said is 25 the payoff amount and what Chase's records</p> <p style="text-align: right;">120</p>

LANIER JEFFREY - VOLUME I

<p>1 reflected was the payoff amount?</p> <p>2 A. No. I would regularly submit a</p> <p>3 payoff request e-mail in general. There</p> <p>4 wasn't always a discrepancy. You would</p> <p>5 request via e-mail a loan to be paid off. So</p> <p>6 that is a daily function. There is not a</p> <p>7 daily issue with discrepancies.</p> <p>8 Q. All right. So my question though</p> <p>9 is: On Plaintiff's Exhibit 1 this is not just</p> <p>10 a garden variety payoff request, is it?</p> <p>11 A. No.</p> <p>12 Q. Because you've got numbers in</p> <p>13 there, right?</p> <p>14 A. Correct.</p> <p>15 Q. If it was just a daily payoff</p> <p>16 request the e-mail would read words to the</p> <p>17 effect of, please pay off this loan; I've</p> <p>18 opened up a path for you to do it. Correct?</p> <p>19 A. It would list that you've moved</p> <p>20 the money. It would list the good through</p> <p>21 date, and ask to pay it off, and ask that you</p> <p>22 let me know when it's done, and place any</p> <p>23 overage if applicable if there was -- like,</p> <p>24 for instance, if there was a \$500,000 claim</p> <p>25 check and a \$100,000 payoff, you would ask</p> <p style="text-align: right;">121</p>	<p>1 Q. At that time?</p> <p>2 A. I believe -- I don't explicitly</p> <p>3 remember, but I believe it was seven days.</p> <p>4 Q. Was there interest calculated on</p> <p>5 the funds while they were sitting in the</p> <p>6 restricted escrow account?</p> <p>7 A. Again, that depends on state</p> <p>8 variations and various things. So that isn't</p> <p>9 something that the analyst has to -- that</p> <p>10 system calculated, so there's different</p> <p>11 criteria. Some loans, I believe, were; some</p> <p>12 did not. So I can't speak to if it did or</p> <p>13 not for sure. That was system generated.</p> <p>14 Q. You can't speak to the fact that</p> <p>15 in any particular instance whether it was</p> <p>16 done, but we do know that in certain cases</p> <p>17 based on either the law, the mortgage, or the</p> <p>18 state, interest was generated on funds placed</p> <p>19 back into the restricted escrow account?</p> <p>20 A. Pertaining to the criteria,</p> <p>21 correct. Yes.</p> <p>22 Q. And that inured to the benefit of</p> <p>23 the borrower?</p> <p>24 A. Correct.</p> <p>25 Q. I'm going to mark this as</p> <p style="text-align: right;">123</p>
<p>1 that they put the money back in restricted as</p> <p>2 escrow so that you could disburse it to the</p> <p>3 borrower. So something to that nature would</p> <p>4 be sent, but not necessarily that exact --</p> <p>5 something to that nature containing the</p> <p>6 details that were applicable to the payoff</p> <p>7 department.</p> <p>8 Q. In this instance where there's</p> <p>9 actually money that's being -- what did they</p> <p>10 say -- charged to the cost center, how often</p> <p>11 would you send e-mails that had that type of</p> <p>12 determination?</p> <p>13 A. I don't remember. Not very</p> <p>14 often.</p> <p>15 Q. When you said sometimes there was</p> <p>16 overages in your example, the \$500,000</p> <p>17 insurance payment and the \$160,000 payoff,</p> <p>18 then the money -- the overage would go into</p> <p>19 the restricted escrow account?</p> <p>20 A. It would be placed back in there</p> <p>21 after the loan was paid off, and then loss</p> <p>22 drafts would disburse the funds.</p> <p>23 Q. What's the time frame for</p> <p>24 disbursing those funds back to the borrower?</p> <p>25 A. As of today or at that time?</p> <p style="text-align: right;">122</p>	<p>1 Plaintiff's Exhibit 2. It's Bates number</p> <p>2 2453.</p> <p>3 (Whereupon, Plaintiff's Exhibit Number</p> <p>4 2 was marked for identification.)</p> <p>5 Q. Tell me what that is.</p> <p>6 A. This is a payoff quote received</p> <p>7 from the default payoff department.</p> <p>8 Q. Now, that's a document, as I</p> <p>9 understand your prior testimony, until you</p> <p>10 were preparing for this deposition you had not</p> <p>11 seen?</p> <p>12 A. That I had not seen? I have</p> <p>13 seen it.</p> <p>14 MS. ROBINSON: You asked her --</p> <p>15 Q. Is that generated by you?</p> <p>16 A. No.</p> <p>17 Q. Who generated that?</p> <p>18 A. The Default Payoff Department.</p> <p>19 Q. Let me see the date. Was</p> <p>20 Plaintiff's Exhibit 2 generated in response to</p> <p>21 your e-mail, Plaintiff's Exhibit 1?</p> <p>22 A. No.</p> <p>23 Q. Tell me what you know about</p> <p>24 Plaintiff's Exhibit 2.</p> <p>25 A. It's a default payoff request.</p> <p style="text-align: right;">124</p>

LANIER JEFFREY - VOLUME I

<p>1 It's a quote from the Default Payoff 2 Department. 3 Q. Do you know who requested it? 4 A. I believe I did. 5 Q. And do you know the date that you 6 requested it? 7 A. I do not. 8 Q. What was the purpose of your 9 requesting that? 10 A. To identify the difference in 11 the insurance -- the difference between the 12 payoff amount needed and the amount of 13 insurance proceeds that we had to apply 14 towards the loan. 15 Q. And in Plaintiff's Exhibit 2 the 16 total amount of pay loan in full was 303,801 17 and 25 dollars? 18 MS. ROBINSON: Twenty-five cents. 19 Q. Twenty-five cents? 20 A. Twenty-five cents. Correct. 21 Q. And was that the money that was 22 actually paid by the insurance company? 23 A. I don't understand your 24 question. 25 Q. Yeah. I may be just completely</p> <p style="text-align: right;">125</p>	<p>1 quote to send an e-mail. What the default 2 quote would do is allow me to understand how 3 much I need to ask them to charge to the cost 4 center, the difference between how much we 5 have in restricted escrow, and how much we 6 need to close the loan. 7 Q. Right. And so my question is -- 8 and I know, I go about it backwards. My 9 question is: So if I only had two documents 10 in this case and I was trying to figure out 11 what happened, are you telling me that I only 12 -- that I would look at Plaintiff's Exhibit 2, 13 look at the \$303,801.25 and subtract the money 14 that's listed in Plaintiff's Exhibit 1, would 15 that not give me the money that the insurance 16 company had submitted? 17 A. Generally, but not always. With 18 default loans charges occur daily that change 19 the amount of the payoff. That's the reason 20 why it's important to do it on a regular 21 basis and obtain current quotes. Even with 22 good due dates when this loan that's in 23 default there's additional charges, from my 24 understanding, that are assessed. That's why 25 we can't make our own determination on how</p> <p style="text-align: right;">127</p>
<p>1 misunderstanding your testimony. As I 2 understand it, Plaintiff's Exhibit 2 was 3 something that you requested to be prepared? 4 A. From the default payoff quote. 5 That is how much that department determined 6 is required based off of servicing records to 7 pay off the loan in full. It has nothing to 8 do with how much the insurance company 9 disbursed. 10 Q. Do you know how much the insurance 11 company disbursed? 12 A. There is a copy of the check 13 somewhere around here in the file. I can 14 give you an approximate. Without looking at 15 the copy of the check I can't tell you a 16 dollar amount. 17 Q. Right. And I'll get it for you 18 too. What is the interplay between 19 Plaintiff's Exhibit 2 and Plaintiff's 20 Exhibit 1? Can you look at Plaintiff's 21 Exhibit 2 that you requested from the default 22 department and Plaintiff's Exhibit 1, the 23 e-mail that you sent, and tell me how those 24 figures interact? 25 A. I would not need the default</p> <p style="text-align: right;">126</p>	<p>1 much it is to pay off the loan. We have to 2 ask the area that is going to pay off the 3 loan. So they would be better able to 4 explain to you the cost, why it's -- broken 5 down that way. 6 Q. But at some point in time you were 7 able to do the deciphering and make the 8 decision on your end as to how much money to 9 charge off? 10 A. We would use a quote and deduct 11 the insurance proceed amount. Now, on here 12 there's a thing that says per diem. I can't 13 remember if every day from when they sent it 14 maybe it's deducted, added, I'm not sure. I 15 don't remember the specifics from two years 16 ago, so I'm not exactly sure. Default would 17 be able to speak to that better for you. 18 It's possible that per diem was 19 charged each day or maybe taken away for X 20 amount of days that we didn't use -- I'm not 21 sure. I'm not exactly sure on exactly what 22 the fluctuation was. But it's possible that 23 this is a quote but it may have been less 24 than that. It may have been -- generally 25 it's less than that. They generally</p> <p style="text-align: right;">128</p>

LANIER JEFFREY - VOLUME I

<p>1 broadcast further to allow you time to have 2 the funds moved and applied, then when they 3 actually post it to the loan. So generally 4 it gives you some cushion in the amount, so 5 it's generally less to pay off the loan than 6 what is quoted on paper. 7 The same way when a borrower 8 requests it. They're not going to give you a 9 quote that's good through that day because 10 you're not going to pay it off today. 11 They'll pick a day that's in the future. 12 Q. So, for example, I owe money 13 that's being -- a debt that's being serviced 14 by Chase. I call them. I ask for a payoff 15 amount. They'll give me a date, for example, 16 maybe nine days in the future. This is the 17 payoff amount as of that day? 18 A. Yes. 19 Q. So what happens if I send that 20 amount but I overnight it and Chase gets it 21 seven days earlier than the payoff deadline, 22 what does Chase do then? 23 A. You would be refunded the 24 difference in the amount. 25 Q. And the per diem stops getting 129</p>	<p>1 MS. ROBINSON: I was trying to 2 tell y'all the page numbers. I think it's 416 3 and 417. 4 Q. Tell me what is the purpose for a 5 BPO? 6 A. Loss draft doesn't utilize them 7 so I'm not sure what Fannie Mae's purpose is. 8 Fannie Mae requests the documents and we're 9 not sure what the purpose is. 10 Q. Do you order the BPO in this 11 particular case? 12 A. Yes. 13 Q. Why? 14 A. Because Fannie Mae asked for it. 15 Q. Do you know who at Fannie Mae 16 asked for it? 17 A. It's a general inbox. It 18 doesn't have a person's name. 19 Q. Did they just send it to you via 20 e-mail or did they post it on one of the 21 systems we talked about? 22 A. Via e-mail. 23 MS. ROBINSON: I don't mean to 24 interrupt you, David, but you asked her what 25 that document was and she said it was her 131</p>
<p>1 charged the day Chase receives it? 2 A. That I'm not sure about. 3 Q. All right. I'm going to mark as 4 Plaintiff's Exhibit 3 Chase Bates number 2457 5 and 2459. And you'll really have to bear with 6 me because I haven't seen this particular 7 document before. Could you first of all just 8 tell me what it is generally? 9 (Whereupon, Plaintiff's Exhibit Number 3 10 was marked for identification.) 11 A. This is an e-mail from myself to 12 the investor asking if we were -- if we are 13 able to process a short payoff of the loan. 14 And it attaches a copy of the Form 176, which 15 is a Fannie Mae document that they request 16 before considering any request from the 17 servicer. 18 Q. And I think the e-mail also 19 indicates that there is a BPO attached? 20 A. Yes. 21 Q. What is a BPO? 22 A. Brokers's Price Opinion, 23 overview of the property value, photos, 24 assessment of the value of the land and the 25 home. 130</p>	<p>1 e-mail to Fannie, but it's also a thread. You 2 know, there's also the inner -- the e-mails 3 from Fannie are on it, the same exhibit. 4 Q. Then this thread we start 5 backwards, right, we start at -- 6 A. Yes. 7 Q. You initiated this e-mail? 8 A. Yes. 9 Q. Friday November 5, 2010. Who is 10 [REDACTED]? 11 A. She was another team leader in 12 the department. 13 Q. Was she a Chase employee? 14 A. Yes. 15 Q. How do you know she was a Chase 16 employee? 17 A. She sat in a desk right across 18 from me. 19 Q. And she was -- how do you have two 20 team leaders at the same time? 21 A. I don't understand. What do you 22 mean? 23 Q. Okay. Before I get into this, I 24 probably need to get a better feel for team 25 leaders. How many team leaders were there in 132</p>

33 (Pages 129 to 132)

LANIER JEFFREY - VOLUME I

1 your department?
 2 A. Two.
 3 Q. You and [REDACTED]?
 4 A. Correct.
 5 Q. And how many people did you
 6 supervise?
 7 A. Approximately ten employees.
 8 Q. What is a team leader?
 9 A. An interim subject matter
 10 expert, someone that you as a analyst can go to
 11 and ask for assistance, guidance. At the
 12 time that I worked there we were also the
 13 auditors for the team.
 14 Q. So in addition to everything else
 15 you were listening to the recordings --
 16 A. Yes.
 17 Q. -- like you did in --
 18 File audits.
 19 Q. File audit. Okay.
 20 And how many people did you say
 21 were within your team?
 22 A. Total or you're asking who was
 23 under me?
 24 Q. Under you as --
 25 A. Approximately ten.

133

1 the same team, you're both team leaders. Are
 2 you both working the same hours?
 3 A. I don't remember.
 4 Q. Generally? She's not like the
 5 second-shift team leader. You're just co-team
 6 leaders?
 7 A. Correct.
 8 Q. Who did you report to? Who was
 9 the manager?
 10 A. At this time [REDACTED]
 11 Q. She did too?
 12 A. Correct.
 13 Q. And when you told me earlier that
 14 you had ten team members, that's including her
 15 and all the other folks?
 16 A. No. There was approximately 12
 17 people. She and I, and then ten others
 18 underneath [REDACTED]
 19 Q. Okay. Just whoever you remember.
 20 A. [REDACTED]
 21 Q. [REDACTED]
 22 A. [REDACTED]
 23 [REDACTED]
 24 [REDACTED] And are you asking as
 25 of the day the loan paid off or prior to

135

1 Q. -- team leader? Was [REDACTED]
 2 underneath you?
 3 A. Yes.
 4 Q. Was he a Chase employee?
 5 A. He was.
 6 Q. Was there anybody in your team who
 7 was not a Chase employee?
 8 A. No.
 9 Q. Could you tell me the names of
 10 folks that you remember that were within your
 11 team?
 12 MS. ROBERTSON: In November of
 13 2010?
 14 Q. In November of 2010?
 15 A. [REDACTED]
 16 Q. [REDACTED] was a team leader,
 17 right?
 18 A. You're asking me who was under
 19 me or who was on my team?
 20 Q. Wow. So [REDACTED] was part
 21 of your team. This wasn't like a military
 22 operation where you had a separate group, she
 23 had a separate group?
 24 A. Correct. We're all together.
 25 Q. You're all together. So you're on

134

1 that?
 2 Q. I'm asking pretty much during this
 3 entire time frame because I'll just tell you,
 4 I've got a lot of documents with different
 5 people and I'm trying to sort them out because
 6 when the e-mails are going back and forth, I'm
 7 trying to figure out who's in whose
 8 department.
 9 A. [REDACTED] There were two
 10 other individuals, but I don't remember their
 11 names.
 12 Q. All right.
 13 A. That's the only ones I can
 14 remember at this point in time.
 15 Q. So they all are in the same office?
 16 A. Yes.
 17 Q. And did each person have an
 18 office -- have their own office, is it
 19 cubicles, is it an open area?
 20 A. It's an open area and some
 21 managers have the cubicles.
 22 Q. And is there any other Chase
 23 department on this particular floor or room?
 24 A. Oh, yes.
 25 Q. So help me visualize what we're

136

34 (Pages 133 to 136)

LANIER JEFFREY - VOLUME I

<p>1 dealing with.</p> <p>2 A. As far as the structure of</p> <p>3 Chase's buildings?</p> <p>4 Q. Well, yes. However you want to do</p> <p>5 it.</p> <p>6 A. I guess I don't understand the</p> <p>7 actual question maybe. What is it you're --</p> <p>8 Q. Because when we're going through</p> <p>9 the deposition, I'm trying to picture where</p> <p>10 you are, and I need to know if your department</p> <p>11 is in the middle of an island, or if there's</p> <p>12 another department that's a set of cubicles</p> <p>13 outside the door, or next door, or what?</p> <p>14 A. Well, within -- I don't know how</p> <p>15 to explain this. You have a big building;</p> <p>16 three floors. Each floor has separate wings.</p> <p>17 There's different departments all over the</p> <p>18 whole building. You sit by areas that don't</p> <p>19 even relate to your department per se. There</p> <p>20 may have been people outside of escrow</p> <p>21 administration that sat at the cubicle next</p> <p>22 to me. It's just however Chase confined the</p> <p>23 space to sit areas. So it doesn't</p> <p>24 necessarily mean that you are interacting</p> <p>25 with those people or that they're even under</p> <p style="text-align: right;">137</p>	<p>1 e-mail to your co-team leader, [REDACTED]</p> <p>2 --</p> <p>3 A. It was to Fannie Mae. I copied</p> <p>4 her.</p> <p>5 Q. Hazard loss is Fannie Mae?</p> <p>6 A. Correct.</p> <p>7 Q. You're copying her because of</p> <p>8 by now helping you on the file?</p> <p>9 A. I copied her -- I don't remember</p> <p>10 why. A lot of times she and I, when we're</p> <p>11 doing certain things, we would copy one</p> <p>12 another in case there was a response and one</p> <p>13 of us was out then we could cover for the</p> <p>14 other person. So that's more or less why.</p> <p>15 It wasn't so much she's working on the file</p> <p>16 but in case something needs -- an action</p> <p>17 needs to be taken, I could copy someone else</p> <p>18 and they could follow up in my absence.</p> <p>19 Q. In any particular file is it</p> <p>20 assigned to, okay, you're the primary team</p> <p>21 leader that's assigned to this file, or is it</p> <p>22 just a group effort, whoever -- whenever the</p> <p>23 question comes up whoever there handles it?</p> <p>24 A. At the time that we -- the</p> <p>25 process changed over the course of the five</p> <p style="text-align: right;">139</p>
<p>1 the same umbrella as you, but this is who is</p> <p>2 sitting there. You may not even know them.</p> <p>3 Q. So your personal experience you're</p> <p>4 sitting right next to somebody, they're not in</p> <p>5 your department, you don't even know who they</p> <p>6 are?</p> <p>7 A. That's correct.</p> <p>8 Q. And they're talking on the phone</p> <p>9 doing their job and you're talking on the</p> <p>10 phone doing your job and you don't even</p> <p>11 interact?</p> <p>12 A. Correct.</p> <p>13 Q. In this particular case, the Loss</p> <p>14 Draft Department, were y'all at least in the</p> <p>15 same wing?</p> <p>16 A. Yes.</p> <p>17 Q. What other departments were within</p> <p>18 that same wing that you recall?</p> <p>19 A. The only department that I know</p> <p>20 the names -- there were lots of areas that</p> <p>21 sat by us. The only names I know are those</p> <p>22 that were also under our immediate umbrella,</p> <p>23 which would have been the PMI, hazard, and</p> <p>24 taxes.</p> <p>25 Q. And taxes. So your November 5</p> <p style="text-align: right;">138</p>	<p>1 years that I worked there. At the time that</p> <p>2 this was handled, payoffs was assigned to one</p> <p>3 person and he worked all of the payoffs.</p> <p>4 Q. Who was that?</p> <p>5 A. [REDACTED]</p> <p>6 Q. [REDACTED]</p> <p>7 A. Correct.</p> <p>8 Q. And did he run everything by you</p> <p>9 or was he autonomous to a certain level,</p> <p>10 either have to do with the situation the</p> <p>11 mortgage or anything like that?</p> <p>12 A. When you say what would -- I</p> <p>13 don't understand. What would he need to --</p> <p>14 Q. What would he need approval from</p> <p>15 you for him to do his job? In other words, if</p> <p>16 he wrote a letter -- I see that he wrote</p> <p>17 letters, if he wrote a letter to a client,</p> <p>18 would you have to review it and approve it or</p> <p>19 is that within the ambit of his job</p> <p>20 responsibilities that he just did?</p> <p>21 A. It was within the ambit of his</p> <p>22 job responsibilities.</p> <p>23 Q. So November 5, 2010, you write an</p> <p>24 e-mail to hazard loss. So you're not</p> <p>25 directing it to anybody in particular at</p> <p style="text-align: right;">140</p>

35 (Pages 137 to 140)